

STATE OF MINNESOTA

SEVENTY-SECOND SESSION - 1981

FIFTY-FIRST DAY

SAINT PAUL, MINNESOTA, MONDAY, MAY 11, 1981

The House of Representatives convened at 11:00 a.m. and was called to order by Harry A. Sieben, Jr., Speaker of the House.

Prayer was offered by Pastor John L. Spencer, Calvary Lutheran Church, Willmar, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Schoenfeld was excused until 11:55 a.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Niehaus 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. 1184 and 900 and S. F. Nos. 1018 and 1262 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communication was received:

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

May 8, 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>
149		117	May 8	May 8
168		118	May 8	May 8
562		119	May 8	May 8
671		120	May 8	May 8
825		121	May 8	May 8
	63	122	May 8	May 8
	121	123	May 8	May 8
	168	124	May 8	May 8
	189	125	May 8	May 8

51st Day]

MONDAY, MAY 11, 1981

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<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>
	258	126	May 8	May 8
	277	127	May 8	May 8
	365	128	May 8	May 8
	371	129	May 8	May 8
	395	130	May 8	May 8
	413	131	May 8	May 8
	436	132	May 8	May 8
	449	133	May 8	May 8
	462	134	May 8	May 8
	484	135	May 8	May 8
	564	136	May 8	May 8
	579	137	May 8	May 8
	588	138	May 8	May 8
	601	139	May 8	May 8
	634	140	May 8	May 8
	739	141	May 8	May 8
	775	142	May 8	May 8
	893	143	May 8	May 8
	918	144	May 8	May 8
	928	145	May 8	May 8
	1015	146	May 8	May 8
	1059	147	May 8	May 8
	1075	148	May 8	May 8

<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>
	1304	149	May 8	May 8
	1080	150	May 8	May 8

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. 942, A bill for an act relating to welfare; clarifying certain provisions for determination of cost of care at state hospitals; directing the commissioner of public welfare to promulgate rules; changing the responsibility of relatives under certain circumstances; altering the method of charging for outpatient care; giving claims against estates of deceased patients or responsible relatives preferred status; amending Minnesota Statutes 1980, Sections 246.50, Subdivision 5; 246.51; 246.53; and 487.39, Subdivision 1.

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:

S. F. No. 227, A bill for an act relating to the organization and operation of government; creating a legislative commission on metropolitan governance; requiring a study of relationships among metropolitan institutions and agencies of government; specifying other duties; mandating a report to the legislature.

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:

S. F. No. 502, A bill for an act relating to public welfare; modifying certain provisions regarding continued eligibility for

medical assistance; amending Minnesota Statutes 1980, Section 256B.062.

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:

S. F. No. 1154, A bill for an act relating to state land; authorizing the conveyance of certain state lands in Pine county to the Amherst H. Wilder Foundation.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 942 was read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 227, 502 and 1154 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Vanasek; Levi; Johnson, D.; Gustafson and Jude introduced:

H. F. No. 1484, A bill for an act relating to highway traffic regulations; providing for administrative driving privilege revocations for failure to submit to chemical testing or exceeding prescribed alcohol concentration; authorizing revocations prior to judicial review; revising the procedure for hearings and appeals on administrative revocations; authorizing introduction into evidence certain peace officer records and reports; amending Minnesota Statutes 1980, Section 169.123, Subdivisions 5, 5a, 6, 7, and by adding a subdivision.

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

Rothenberg; Vanasek; Valento; Peterson, B., and Kelly introduced:

H. F. No. 1485, A bill for an act relating to crimes; authorizing counties to establish crime victim service funds and coordinating committees on victim assistance; requiring the commissioner of corrections to develop a model victim service plan; providing for a penalty assessment on convicted persons; proposing new law coded in Minnesota Statutes, Chapter 241.

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

Onnen, Lemen and Reif introduced:

H. F. No. 1486, A bill for an act relating to health insurance; providing for a statewide catastrophic health expense protection plan; allowing persons electing to purchase this coverage to pay for it by increasing their income tax liability by the amount of the yearly premium; prescribing powers and duties; creating a certain account in the state treasury; appropriating money; repealing Minnesota Statutes 1980, Sections 62E.51 to 62E.55; proposing new law coded in Minnesota Statutes, Chapter 62E.

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

Skoglund, Jacobs, Ellingson, Vanasek and Gustafson introduced:

H. F. No. 1487, A bill for an act relating to taxation; providing for a freeze on property taxes paid on homesteads owned by elderly persons; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 273.

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

Berkelman, Brinkman, Ewald, Dean and Norton introduced:

H. F. No. 1488, A bill for an act relating to insurance; regulating minimum nonforfeiture benefits and reserves of life insurance policies and annuity contracts; amending Minnesota Statutes 1980, Sections 61A.24, Subdivisions 2, 4, 6, 9, 10, 11, 12, 13, 14, and by adding subdivisions; and 61A.25, Subdivisions 3, 3a, 4, 5, 7, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Skoglund, Tomlinson, Jacobs, Brandl and Novak introduced:

H. F. No. 1489, A bill for an act relating to taxation; providing for the valuation of income producing property; amending Minnesota Statutes 1980, Section 273.12.

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

Clawson introduced:

H. F. No. 1490, A bill for an act relating to statutes; defining the term "person" for the purposes of Minnesota law; amending Minnesota Statutes 1980, Section 645.44, Subdivision 7.

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

Nelsen, B., introduced:

H. F. No. 1491, A bill for an act relating to education; providing for the higher education coordinating board to be the commissioner of administration; appropriating money; amending Minnesota Statutes 1980, Sections 136A.02, Subdivision 1; and 136A.142; proposing new law coded in Minnesota Statutes, Chapter 136A; repealing Minnesota Statutes 1980, Section 136A.02, Subdivisions 1a and 3.

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

HOUSE ADVISORIES

The following House Advisories were introduced:

Stadum; Anderson, G.; Kalis; Mehrkens and Valan introduced:

H. A. No. 28, A proposal to study county maintenance of trunk highways; revenues from out-of-state motor vehicles.

The advisory was referred to the Committee on Transportation.

Nelson, K.; Johnson, C.; Vellenga; Jennings and Levi introduced:

H. A. No. 29, A proposal to study various issues relating to teaching and learning.

The advisory was referred to the Committee on Education.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 619, A bill for an act relating to intoxicating liquor; correcting the wording of the ballot question for a municipal liquor store referendum; amending Minnesota Statutes 1980, Section 340.353, Subdivision 2.

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. 582, A bill for an act relating to natural resources; permitting conservation officers to enforce prohibitions of vandalism of shelters and facilities on state and local trails; regulating the use of state funded trails; providing a penalty; amending Minnesota Statutes 1980, Section 84.90, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 85.

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 that the Senate has concurred in and adopted the report of the Conference Committee 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; redefining a private passenger vehicle for certain purposes; clarifying certain requirements for front and rear bumpers; providing penalties; amending Minnesota Statutes 1980, Section 168.10, Subdivision 1b; and 169.73.

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. 2, A bill for an act relating to crimes; establishing mandatory minimum terms of imprisonment for use of a dangerous weapon or possession of a firearm; increasing the penalty for intentional and unintentional homicides committed while committing certain felonies; amending Minnesota Statutes 1980, Sections 609.11, Subdivision 1, and by adding subdivisions; 609.135, Subdivision 1; 609.185; 609.19; 609.195; 609.20; repealing Minnesota Statutes 1980, Section 609.11, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

Wenzel moved that the House concur in the Senate amendments to H. F. No. 2 and that the bill be repassed as amended by the Senate.

Rothenberg moved that the House refuse to concur in the Senate amendments to H. F. No. 2, 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 Rothenberg motion and the roll was called. There were 77 yeas and 50 nays as follows:

Those who voted in the affirmative were:

Aasness	Fjoslien	Kvam	O'Connor	Sherwood
Ainley	Forsythe	Laidig	Olsen	Stadum
Anderson, B.	Friedrich	Lemen	Onnen	Stowell
Anderson, I.	Gruenes	Levi	Peterson, B.	Swiggum
Anderson, R.	Halberg	Ludeman	Piepho	Valan
Battaglia	Hanson	Mann	Redalen	Valento
Begich	Haukoos	Marsh	Rees	Vellenga
Blatz	Heap	McDonald	Reif	Voss
Carlson, D.	Heinitz	McEachern	Rodriguez, C.	Weaver
Dahlyang	Himle	Mehrkins	Rose	Welker
Den Ouden	Hoberg	Minne	Rothenberg	Wieser
Drew	Jennings	Munger	Sarna	Wigley
Erickson	Johnson, D.	Murphy	Schafer	Zubay
Esau	Kaley	Nelsen, B.	Schreiber	
Evans	Kalis	Niehaus	Searles	
Ewald	Knickerbocker	Nysether	Sherman	

Those who voted in the negative were:

Anderson, G.	Brandl	Clark, J.	Dean	Eken
Berkelman	Byrne	Clark, K.	Dempsey	Elioff

Ellingson	Kahn	Norton	Rice	Stumpf
Greenfield	Kelly	Novak	Rodriguez, F.	Swanson
Gustafson	Lehto	Ogren	Samuelson	Tomlinson
Hauge	Long	Osthoff	Shea	Vanasek
Hokanson	Luknic	Otis	Sieben, M.	Welch
Jacobs	McCarron	Peterson, D.	Simoneau	Wenzel
Johnson, C.	Metzen	Pogemiller	Skoglund	Wynia
Jude	Nelson, K.	Reding	Staten	Sprk. Sieben, H.

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. 586, A bill for an act relating to crimes; authorizing courts to order certain persons to participate in counseling in domestic abuse cases; creating the crime of intrafamilial sexual abuse; amending Minnesota Statutes 1980, Sections 518B.01, Subdivision 6; 595.02; 609.348; 609.35; 626.556, Subdivision 2; and 629.341, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 609.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, B., moved that the House refuse to concur in the Senate amendments to H. F. No. 586, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

H. F. No. 1445, A bill for an act relating to taxation; appropriating money for state payments to local units of government; providing for the financing of certain services of the department of transportation; defining and clarifying certain gross weights; increasing the motor vehicle registration tax on certain vehicles; providing for temporary farm truck licenses; increasing the tax on gasoline and special fuels; authorizing the issuance of state transportation bonds and appropriating the proceeds for the purpose of providing money for capital improvements comprising construction and reconstruction of key bridges on the trunk highway system, segments of the interstate system and interstate highway substitution projects; limiting the amount of homestead credits; limiting local levies; imposing addition-

al income taxes on individuals, estates, trusts, and corporations; limiting certain deductions; redefining the method for inflation proofing brackets, credits, and deductions; changing interest rates on delinquent taxes; rescheduling certain payments to local governments; changing definition of claimant for property tax refund and offsetting credit based on amount of medical assistance; providing for declaration and estimated payments of gross earnings tax; allowing deduction of federal taxes on the accrual basis; repealing distribution of estate taxes to counties; increasing the permissible levy for school districts to 23 mills; providing for a one year suspension of the penalty for school district underlevy; amending Minnesota Statutes 1980, Sections 124.01, Subdivision 3; 124.213; 124.212, by adding a subdivision; 168.011, Subdivisions 7, 10 16, 17 and 25; 168.013, Subdivisions 1a, 1b, 1c, 1d, 1e, 1g, 1h, 2, and 3; 168.017, Subdivisions 1 and 3; 168.10, Subdivisions 1a, 1b, 1c, and 1d; 168.12, Subdivision 2a; 174.50, Subdivision 1; 270.75; 273.115, Subdivision 4; 273.116, Subdivision 4; 273.13, Subdivision 15a; 273.136, Subdivision 3; 273.138, Subdivision 5; 273.139, Subdivision 3; 275.125, Subdivision 2a; 275.50, Subdivision 2; 275.51, Subdivision 1 and by adding subdivisions; 275.55; 290.01, Subdivisions 20 and 23; 290.06, Subdivisions 2d, 3g, and by adding subdivisions; 290.067, Subdivision 2; 290.09, Subdivisions 4, 10, and 15; 290.10; 290.18, Subdivision 2, and by adding a subdivision; 290A.03, Subdivision 8; 290A.04, by adding a subdivision; 290A.07, Subdivision 2; 296.02, Subdivision 1; 477A.01, Subdivision 4b; 477A.03; 477A.13; proposing new law coded in Minnesota Statutes, Chapters 168, 275 and 295; repealing Minnesota Statutes 1980, Sections 168.013, Subdivisions 16 and 17; 275.50, Subdivisions 5 and 6; 275.51, Subdivisions 3d, 4, and 5; 275.52; 275.53; 275.54; 275.551; 275.552; 275.58; 275.59 and 291.33.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, I., moved that the House refuse to concur in the Senate amendments to H. F. No. 1445, 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. 936, A bill for an act relating to natural resources; raising limitations on values of state timber which may be sold at public auction or informal sale; providing for special auction sales and changing certain other provisions relating to the sale and removal of state timber; sale of stumpage; amending Min-

nesota Statutes 1980, Sections 90.031, Subdivision 4; 90.101, Subdivision 1; 90.151, Subdivisions 11 and 13; 90.173; 90.181, Subdivision 2; 90.191, Subdivision 1; 282.04, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 90.

PATRICK E. FLAHAVEN, Secretary of the Senate

Lehto moved that the House refuse to concur in the Senate amendments to H. F. No. 936, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

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.

And the Senate respectfully requests that a Conference Committee be appointed thereon. Messrs. Schmitz, Renneke and Petty have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Rees moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 660. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

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.

And the Senate respectfully requests that a Conference Committee be appointed thereon. Messrs. Stern, Knutson and Menning have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Rees moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 694. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

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, Sections 363.06, Subdivision 4; and 363.071, Subdivision 2.

And the Senate respectfully requests that a Conference Committee be appointed thereon. Ms. Berglin; Messrs. Moe, D. M. and Peterson, R. W. have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Staten moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 939. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

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.

And the Senate respectfully requests that a Conference Committee be appointed thereon. Messrs. Peterson, C. C.; Spear and Frederickson have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Reding moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 690. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 359, A bill for an act relating to workers' compensation; expressing the intent of the legislature with respect to chapter 176; transferring compensation judges from the workers' compensation division to a separate division within the office of administrative hearings; making the workers' compensation court of appeals a separate and independent agency with appellate review powers; providing for a discount assumption with respect to calculating reserves for claims of insurance companies; authorizing the commissioner of insurance to initiate a rate hearing; permitting benefit payment amounts to be rounded to whole dollars; clarifying certain provisions with respect to the Minnesota workers' compensation reinsurance association; redefining the maximum reinsurance liability limitation as a prefunded limit; providing for a survey of closed compensation claims and an examination of insurer reserving practices; removing the exemption of political subdivisions from the definitions of insurer and insurance in chapter 79; providing for the design and implementation of an improved records and information system in the department of labor and industry; providing for the addition of rehabilitation and computer support personnel in the department of labor and industry; permitting the commissioner of labor and industry to negotiate with his counterparts in other states in jurisdictional disputes; establishing a preponderance of the evidence standard in factual determinations under chapter 176; granting subrogation rights to the special compensation fund in third party actions; pro-

viding for lump sum permanent partial disability payments on return to work and weekly payments if an employee could but does not return to work; limiting attorneys' fees to only disputed portions of claims; providing a procedure for settlement offers by any litigant in a disputed claim proceeding; requiring claimants' attorneys to provide their clients with written information regarding fees under chapter 176; providing a penalty for attorneys who violate the fee provisions of chapter 176; providing a ten year limitation on death benefits to dependents; providing rehabilitation opportunities for dependent surviving spouses; requiring the commissioner of labor and industry to adopt disability degree schedules; prohibiting combined workers' compensation and government survivor benefits from exceeding the limit provided in chapter 176; providing a new formula for determining assessments against employers and insurers for the special compensation fund; providing for payment of attorneys' fees in disputes over supplementary benefits; requiring the commissioner of labor and industry to utilize a medical fee schedule; requiring the commissioner to review the quality of care and other aspects of medical delivery under workers' compensation; establishing a medical panel to resolve disputes over medical disability; providing for payment of wage replacement or disability payments by a group insurer under appropriate provisions pending resolution of liability dispute over compensability; providing for early payment of benefits and a penalty for delay; requiring benefit payments to be made by immediately negotiable instrument; providing that notices of discontinuance of benefit payments be sent directly to claimant by insurer; providing that division legal assistance employees be transferred to the attorney general; delaying first benefit adjustment under chapter 176 for 52 weeks from date of injury; mandating an insurance rate reduction by an amount reflecting cost savings due to benefit and administrative changes; providing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 10A.01, Subdivision 18; 15.052, Subdivisions 1, 2, 3, 4, and 5; 15A.083, by adding a subdivision; 43.064; 60A.15, Subdivision 1; 60C.04; 60C.09, Subdivision 2; 79.01, Subdivisions 2 and 3; 79.071, Subdivision 1, and by adding subdivisions; 79.34, Subdivisions 1 and 2; 79.35; 79.36; 175.007; 175.11, Subdivision 1; 175.14; 175.17; 176.021, Subdivisions 1 and 3, and by adding subdivisions; 176.041, by adding a subdivision; 176.061, Subdivisions 1, 3, 4, 5, 6 and 7; 176.081, Subdivisions 1, 2, 3, 4, and 6, and by adding subdivisions; 176.101, Subdivision 3; 176.102, by adding a subdivision; 176.105, Subdivision 1; 176.111, Subdivisions 6, 7, 8, 10 and 21, and by adding a subdivision; 176.131, Subdivision 10; 176.132, Subdivision 2; 176.133; 176.136; 176.161, Subdivision 1; 176.181, Subdivisions 2 and 3, and by adding a subdivision; 176.191; 176.221; 176.225, by adding a subdivision; 176.231, Subdivisions 2 and 7; 176.241, Subdivisions 1, 2 and 3; 176.261; 176.291; 176.301, Subdivision 1; 176.305; 176.311; 176.331; 176.341, Subdivision 1; 176.351; 176.371; 176.381; 176.391; 176.401; 176.411, Subdivisions 1 and 2; 176.421, Subdivisions 1, 4, 5, 6 and 7; 176.431, Subdivision 1; 176.441, Sub-

division 1; 176.461; 176.471, Subdivisions 3, 5, 6 and 8; 176.491; 176.511, Subdivision 1; 176.521, Subdivisions 1 and 2; 176.531, Subdivision 3; 176.645; and 179.74, Subdivision 4; proposing new law coded as Minnesota Statutes, Chapter 175A; and proposing new law coded in Minnesota Statutes, Chapters 79 and 176; repealing Minnesota Statutes 1980, Sections 79.071, Subdivisions 1, 2, 3, 4, 5, 6, and 7; 79.072; 79.073; 79.074, Subdivision 1; 79.075 to 79.09; 79.11 to 79.21; 79.22, Subdivision 1; 79.221 to 79.33; 175.006, Subdivisions 1a and 2; 175.0061; 175.09; 176.111, Subdivision 11; and 176.441, Subdivision 2; reenacting Laws 1980, Chapter 556, Section 12.

And the Senate respectfully requests that a Conference Committee be appointed thereon. Messrs. Peterson, C. C.; Chmielewski; Moe, D. M.; Nelson and Benson have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Simoneau moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 359. The motion prevailed.

Mr. Speaker:

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

S. F. Nos. 177, 440, 446, 568, 636, 728 and 960.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1040 and 1187.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 177, A bill for an act relating to foods; directing the establishment of labeling requirements for wild rice which is

planted or cultivated; providing a penalty; proposing new law coded in Minnesota Statutes, Chapter 30.

The bill was read for the first time.

Clark, J., moved that S. F. No. 177 and H. F. No. 756, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 440, A bill for an act establishing the North Koochi-ching county waste water treatment board; prescribing its duties and powers; providing for the treatment and disposal of waste water in described areas.

The bill was read for the first time.

Anderson, I., moved that S. F. No. 440 and H. F. No. 491, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 446, A bill for an act relating to the legislature; changing the membership and manner of appointment of certain committees and commissions with legislative members; amending Minnesota Statutes 1980, Sections 3.30, Subdivision 2; 3.855, Subdivision 1; 15.50, Subdivision 1; 16.872, Subdivision 3; and 121.938, Subdivision 1.

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

S. F. No. 568, A bill for an act relating to financial institutions; permitting banks to make adjustable-rate mortgage loans; proposing new law coded in Minnesota Statutes, Chapter 48.

The bill was read for the first time.

Brinkman moved that S. F. No. 568 and H. F. No. 658, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 636, A bill for an act relating to taxation; providing that the disallowance of income tax deductions relating to sub-standard housing shall not expire; amending Laws 1975, Chapter 226, Section 4, as amended.

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

S. F. No. 728, A bill for an act relating to the city of Big Falls; authorizing the establishment of detached banking facilities.

The bill was read for the first time.

Anderson, I., moved that S. F. No. 728 and H. F. No. 705, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 960, A bill for an act relating to transportation; authorizing road authorities to designate nine-ton collector routes; prescribing maximum vehicle weights on those routes; proposing new law coded in Minnesota Statutes, Chapter 169.

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

S. F. No. 1040, A bill for an act relating to the environment; clarifying terms and duties in the waste management act; extending time limits for site selections and reports; clarifying and changing waste management powers of metropolitan counties; providing that certain appropriations shall remain available until expended; amending Minnesota Statutes 1980, Sections 115A.03, Subdivisions 15 and 29; 115A.05, Subdivision 3; 115A.06, Subdivisions 4 and 5, and by adding a subdivision; 115A.08, Subdivisions 4, 5 and 6; 115A.09; 115A.11, Subdivision 1; 115A.19; 115A.20; 115A.21, Subdivisions 1 and 2; 115A.22, Subdivisions 3 and 4; 115A.23; 115A.24; 115A.26; 115A.28, Subdivision 2; 115A.33; 115A.34; 115A.37, Subdivision 2; 115A.54, Subdivision 3; 116.07, Subdivisions 2 and 4; 116.41, Subdivision 2; 400.161; 473.149, Subdivisions 2b, 2c and 2e, and by adding a subdivision; 473.153, Subdivisions 1, 2 and 6; 473.801, by adding a subdivision; 473.803, Subdivision 1a; 473.811, Subdivisions 2, 3, 4, 5b, and 8, and by adding subdivisions; 473.831, Subdivision 1; and 473.834, Subdivision 2; repealing Minnesota Statutes 1980, Section 473.834, Subdivisions 4 and 5.

The bill was read for the first time.

Long moved that S. F. No. 1040 and H. F. No. 1086, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1187, A bill for an act relating to game and fish; increasing and making permanent a surcharge on small game licenses for wildlife land acquisition; amending Minnesota Statutes 1980, Section 97.482, Subdivision 1; repealing Laws 1961, Chapter 66, Section 1, as amended.

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

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 939:

Staten, Greenfield and Luknic.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 694:

Rees, Voss and Gruenes.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 586:

Anderson, B.; Simoneau and Dempsey.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 936:

Lehto, Munger and Nysether.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 690:

Reding, Sarna and Kaley.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 660:

Rees; Carlson, L., and Hokr.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Eken, from the Committee on Rules and Legislative Administration, pursuant to Rule 1.9, designates the following bills as a Special Order to be acted upon immediately following Special Orders pending for Monday, May 11, 1981:

H. F. No. 491; S. F. No. 732; H. F. No. 769; S. F. No. 452; H. F. No. 756; S. F. Nos. 1132 and 662; H. F. No. 403; S. F. Nos. 804, 886, 1174, 338, 903, 964, 1043, 98, 664, 525, 818, 1074, 767 and 2.

The following conference committee reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 969

A bill for an act relating to metropolitan government; authorizing the metropolitan council to prepare guidelines relating

to the amendment of comprehensive plans; amending Minnesota Statutes 1980, Section 473.864, Subdivision 2.

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. 969, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments.

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

House Conferees: GORDON O. VOSS, WILLIAM SCHREIBER and PAUL MCCARRON.

Senate Conferees: FRANKLIN J. KNOLL, HOWARD A. KNUTSON and WILLIAM P. LUTHER.

Voss moved that the report of the Conference Committee on H. F. No. 969 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1088

A bill for an act relating to the secretary of state; requiring that government survey documents be maintained on microfilm; providing for filing certain documents with the Minnesota historical society; amending Minnesota Statutes 1980, Section 5.03.

May 8, 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. 1088, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 1088 be further amended as follows:

Page 1, lines 17 to 23, delete the new language and insert "*The secretary of state shall maintain a microfilmed copy of government survey documents for public inspection. The original documents shall be preserved in a climate controlled environment prescribed by the secretary of state. The documents shall be maintained so that they are available for public inspection.*"

Amend the title as follows:

Page 1, line 4, delete "filing" and insert "preserving" and delete "with"

Page 1, line 5, delete "the Minnesota historical society"

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

House Conferees: LAWRENCE J. POGEMILLER, FRANK J. RODRIGUEZ, SR. and JOHN R. KALEY.

Senate Conferees: JAMES C. PEHLER, STEVEN O. LINDGREN and RONALD R. DICKLICH.

Pogemiller moved that the report of the Conference Committee on H. F. No. 1088 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1088, A bill for an act relating to the secretary of state; requiring that government survey documents be maintained on microfilm; providing for filing certain documents with the Minnesota historical society; amending Minnesota Statutes 1980, Section 5.03.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

CONFERENCE COMMITTEE REPORT ON 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.

May 8, 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. 473, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 473 be further amended as follows:

Page 1, line 13, delete "*long range*"

Page 1, line 14, delete "*interests of*"

Page 1, line 17, delete "*16 U.S.C. Section 2601*" and insert "*Pub.L. 95-617, 92 Stat. 3117,*"

Page 1, line 18, delete "*et seq.*"

Page 1, line 19, delete "*Section*" and insert "*Part*"

Page 1, line 19, delete "*292.101 et seq.*" and insert "*292,*"

Page 1, line 25, delete "*20*" and insert "*40*"

Page 2, line 5, delete "*calculated using the rate schedule that would apply to*" and insert "*at a per kilowatt hour rate set by the commission. In setting these rates, the commission shall consider the fixed distribution costs to the utility not otherwise accounted for in the basic monthly charge and shall ensure that the costs charged to the qualifying facility are not discriminatory in relation to the costs charged to other customers of the utility. Notwithstanding any other language to the contrary in this section, the commission shall set the rates for net input into the utility system based on avoided costs as defined in 18 C.F.R. Section 292.101(b)(6), the factors listed in 18 C.F.R. Section 292.304, and all other relevant factors*"

Page 2, delete line 6

Page 2, line 7, delete "*energy less 40 percent*"

Page 2, lines 14 and 18, delete "20" and insert "40"

Page 2, line 17, after "(a)" insert "*Except as otherwise provided in paragraph (c),*"

Page 2, line 26, after "(c)" insert "*For all qualifying facilities having 30 kilowatt capacity or more,*"

Page 2, line 26, after "facility's" insert "*or the utility's*"

Page 2, line 32, after "charges" insert "*and line losses*"

Page 3, after line 14, insert:

"Subd. 8. [CUSTOMER, INTERCONNECTION AND WHEELING CHARGES.] Nothing contained in this section shall be construed to excuse the qualifying facility from any obligation for costs of interconnection and wheeling in excess of those normally incurred by the utility for customers with similar load characteristics who are not cogenerators or small power producers, or from any fixed charges normally assessed such non-generating customers."

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

House Conferees: EARL HAUGE, TODD H. OTIS and STEVE A. SVIGGUM.

Senate Conferees: GREGORY L. DAHL, RONALD R. DICKLICH and GLEN TAYLOR.

Hauge moved that the report of the Conference Committee on H. F. No. 473 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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.

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 107 yeas and 23 nays as follows:

Those who voted in the affirmative were:

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

Drew	Hokanson	McEachern	Redalen	Staten
Eken	Hokr	Mehrkens	Reding	Stowell
Elioff	Johnson, C.	Metzen	Rees	Stumpf
Ellingson	Johnson, D.	Minne	Reif	Sviggum
Erickson	Jude	Munger	Rice	Swanson
Evans	Kahn	Murphy	Rodriguez, C.	Tomlinson
Ewald	Kelly	Nelsen, B.	Rodriguez, F.	Valan
Fjoslien	Knickerbocker	Nelson, K.	Rose	Vanasek
Forsythe	Kostohryz	Norton	Rothenberg	Vellenga
Greenfield	Laidig	Novak	Sarna	Voss
Gruenes	Lehto	O'Connor	Schreiber	Weaver
Gustafson	Lemen	Olsen	Shea	Welch
Halberg	Levi	Onnen	Sherman	Wenzel
Hanson	Long	Osthoff	Sherwood	Wieser
Harens	Luknic	Otis	Sieben, M.	Wynia
Heap	Mann	Peterson, B.	Simoneau	
Himle	Marsh	Peterson, D.	Skoglund	
Hoberg	McCarron	Pogemiller	Stadum	

Those who voted in the negative were:

Ainley	Heinitz	Kvam	Piepho	Welker
Dempsey	Jacobs	Ludeman	Samuelson	Wigley
Esau	Jennings	McDonald	Schafer	Zubay
Friedrich	Kaley	Niehaus	Searles	
Haukoos	Kalis	Nysether	Valento	

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

Rose was excused from 11:45 a.m. until 1:30 p.m.

CALENDAR

S. F. No. 118 was reported to the House and given its third reading.

UNANIMOUS CONSENT

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

Luknic moved to amend S. F. No. 118, as follows:

Page 2, line 2, after "*crimes*" insert "*or offenses*"

The motion prevailed and the amendment was adopted.

UNANIMOUS CONSENT

Rodriguez, C., requested unanimous consent to offer an amendment. The request was granted.

Rodriguez, C., moved to amend S. F. No. 118, as amended, as follows:

Page 1, after line 25, insert:

"Sec. 2 [EFFECT ON LOCAL ORDINANCES.] *Nothing in Section 1 shall supersede or preclude the continuation or adoption of any local ordinance which provides for more stringent regulation of the subject matter in Section 1.*"

Renumber the remaining section.

Amend the title as follows:

Page 1, line 5, after the semi-colon insert "preserving local ordinances relating to minors' use of tobacco related devices;"

The motion prevailed and the amendment was adopted.

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 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 121 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Byrne	Clark, K.	Greenfield	Kahn
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The bill was passed, as amended, 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.

Weaver was excused between 1:00 p.m. and 2:45 p.m.

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

REPORTS OF STANDING COMMITTEES

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

H. F. No. 20, A bill for an act relating to health; establishing a state advisory task force on epilepsy; appropriating money.

Reported the same back with the following amendments:

Page 1, line 11, delete "*the*"

Page 1, delete line 12

Page 1, line 13, delete "*security, and insurance, or their designees,*"

Page 1, lines 13 and 14, delete "*five*" and insert "*three*"

Page 1, line 17, delete "*ten*" and insert "*eight*"

Page 1, line 18, after the period insert "*The commissioners of education, health, public welfare, economic security, and insurance, or their designees shall act as ex-officio members.*"

Page 2, line 15, delete "*June 30, 1983*" and insert "*January 15, 1983*"

Page 2, lines 22 to 36, delete subdivision 4

Renumber the subdivisions

Page 3, line 2, after "*with*" insert "*staff support,*"

Page 3, line 3, after the period insert "*Staff and administrative support for the commission shall be provided by existing legislative service offices.*"

Page 3, line 22, in the blank insert "16,500"

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. 165, A bill for an act relating to corporations; modernizing and improving provisions governing business corporations; providing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 53.01; 290.61; 303.05, Subdivision 1; 308.341; 319A.03; 319A.05; 319A.12, Subdivisions 1a and 2; 319A.20; 367.42, Subdivision 1; 462.601; and 462.605; proposing new law coded in Minnesota Statutes, Chapters 302A and 316; repealing Minnesota Statutes 1980, Sections 301.01 to 301.67.

Reported the same back with the following amendments:

Page 22, line 20, before the period insert "*accompanied by a payment of \$60, which includes a \$50 incorporation fee in addition to the \$10 filing fee required by section 1, subdivision 11*"

Page 113, line 11, delete "\$131,800" and insert "\$20,900"

Page 113, line 16, delete "1981"

Page 113, delete line 17

Page 113, line 18, delete "(b) Other duties" and "\$2,900"

Page 113, after line 18, insert "*Additional approved complement—.5*"

Page 113, line 23, delete "1984" and insert "1985"

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. 295, A bill for an act relating to retirement; providing post retirement annuity or benefit increases for certain retired or disabled public employees; appropriating funds.

Reported the same back with the following amendments:

Page 3, line 5, after "appropriated" insert "from the general fund"

Page 3, line 6, after "of" delete the balance of the line and insert "\$5,785,361 in fiscal year 1982 and \$5,514,639 in fiscal year 1983 for the"

Page 3, delete lines 12 to 19, and insert:

	<i>"FY 1982</i>	<i>FY 1983</i>
<i>public employees retirement fund</i>	<i>\$2,109,753</i>	<i>\$2,002,430</i>
<i>public employees police and fire fund</i>	<i>73,926</i>	<i>70,837</i>
<i>teachers retirement fund</i>	<i>1,680,154</i>	<i>1,606,863</i>
<i>highway patrol retirement fund</i>	<i>63,900</i>	<i>63,784</i>
<i>state employees retirement fund</i>	<i>1,530,092</i>	<i>1,458,534</i>
<i>Minneapolis municipal employees retirement fund</i>	<i>327,536</i>	<i>312,191"</i>

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. 553, A bill for an act relating to drivers licenses; increasing fees for motorized bicycle operator permits and for driver licenses; establishing a fee for the Minnesota identification card; providing for uniform application fees; requiring reexamination before issuance of a new drivers license after revocation; authorizing married applicants to use their maiden name as their middle name; amending Minnesota Statutes 1980, Sections 171.02, Subdivision 3; 171.06, Subdivisions 1, 2, 4, and by adding a subdivision; 171.07, Subdivision 3; and 171.29.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 168.011, Subdivision 7, is amended to read:

Subd. 7. [PASSENGER AUTOMOBILE.] "Passenger automobile" means any motor vehicle designed and used for the carrying of not more than eight persons (BUT EXCLUDING), and includes station wagons and motor vehicles commonly designated as pickup trucks other than farm trucks. Passenger automobile does not include motorcycles (,) and motor scooters (, AND STATION WAGONS).

Sec. 2. Minnesota Statutes 1980, Section 168.011, Subdivision 10, is amended to read:

Subd. 10. [TRUCK.] "Truck" means any motor vehicle designed and used for carrying things other than passengers, except pickup trucks included within the definition of passenger automobile in subdivision 7.

Sec. 3. Minnesota Statutes 1980, Section 168.013, Subdivision 1a, is amended to read:

Subd. 1a. [PASSENGER AUTOMOBILES; AMBULANCES; HEARSEs.] On passenger automobiles as defined in section 168.011, subdivision 7, ambulances, and hearses, except as otherwise provided, the tax shall be \$10 plus an additional tax equal to (1.25) 1.30 percent of the base value. Subject to the classification provisions herein, "base value" means the manufacturer's suggested retail price of the vehicle including destination charge as reflected on the price listing affixed to the vehicle in conformity with 15 U.S.C. 1231 to 1233 (Public Law 85-506) or otherwise suggested by the manufacturer or determined by the registrar if no suggested retail price exists, and shall not include the cost of each accessory or item of optional equipment separately added to the vehicle and the suggested retail price.

If the registrar is unable to determine the base value because the vehicle is specially constructed, or for any other reason, he may establish such value upon the cost price to the purchaser or owner as evidenced by a certificate of cost but not including Minnesota sales or use tax or any local sales or other local tax.

The registrar shall classify every vehicle in its proper base value class as follows:

FROM	TO
\$ 0	\$199.99
200	399.99

and thereafter a series of classes successively set in brackets having a spread of \$200 consisting of such number of classes as will permit classification of all vehicles.

The base value for purposes of this section shall be the middle point between the extremes of its class.

The registrar shall establish the base value, when new, of every passenger automobile, ambulance and hearse registered prior to the effective date of Extra Session Laws 1971, Chapter 31, using list price information published by the manufacturer or any nationally recognized firm or association compiling such data for the automotive industry. If the registrar is unable to ascertain the base value of any registered vehicle in the foregoing manner, he may use any other available source or method. The tax on all previously registered vehicles shall be computed upon the base value thus determined taking into account the depreciation provisions of Extra Session Laws 1971, Chapter 31.

The annual additional tax computed upon the base value as provided herein, during the first year of vehicle life shall be computed upon 100 percent of the base value; for the second year, 90 percent of such value; for the third year, (75) 80 percent of such value; for the fourth year, (60) 70 percent of such value; for the fifth year, (45) 60 percent of such value; for the sixth year, (35) 50 percent of such value; for the seventh year, (30) 40 percent of such value; for the eighth year, (20) 30 percent of such value; for the ninth year, (15) 20 percent of such value; for the tenth year, 10 percent of such value; for the eleventh and each succeeding year, the sum of (\$2) \$15; *provided that for registrations renewed on or after January 1, 1983, and each year thereafter, the annual additional tax for the eleventh and each succeeding year of vehicle life shall be \$25.*

In no event shall the annual additional tax be less than \$15 for any registration renewed after January 1, 1982, nor less than \$25 for any registration renewed after January 1, 1983, and subsequent years.

Sec. 4. Minnesota Statutes 1980, Section 168.013, Subdivision 1b, is amended to read:

Subd. 1b. [MOTORCYCLES.] On motorcycles the tax (IS \$5, WHICH) *shall be three-tenths of one percent of the base value when new, but in no event less than \$10. Base value has the meaning given it in subdivision 1a. This tax includes the surtax provided for in subdivision 14.*

Sec. 5. Minnesota Statutes 1980, Section 168.013, Subdivision 1c, is amended to read:

Subd. 1c. [FARM TRUCKS.] On farm trucks *having a gross weight of not more than 51,000 pounds*, the tax shall be based on total gross weight and shall be (30) 45 percent of the Minnesota base rate prescribed by subdivision 1e under Schedule I during each of the first six years of vehicle life, but in no

event less than (\$19) \$35, and during the seventh and succeeding years of vehicle life (AS TAKEN FROM SCHEDULE II, BUT IN NO EVENT LESS THAN \$11) *the tax shall be 27 percent of the Minnesota base rate prescribed by subdivision 1e, but in no event less than \$21. On farm trucks having a gross weight of more than 51,000 pounds, the tax shall be 60 percent of the Minnesota base rate during the first nine years of vehicle life and 36 percent of the Minnesota base rate during the tenth and succeeding years.* In addition to (SUCH) *the gross weight tax imposed on a truck-tractor or truck used as a truck-tractor, each semi-trailer shall be taxed a fee of (\$10) \$30 for a one year period or (\$50) \$150 for a five year period whichever the applicant elects.*

Sec. 6. Minnesota Statutes 1980, Section 168.013, Subdivision 1d, is amended to read:

Subd. 1d. [TRAILERS.] On trailers the annual tax shall be based on total gross weight and shall be 30 percent of the Minnesota base rate prescribed in subdivision 1e, (SCHEDULE I,) but in no event less than (\$2) \$5, provided, that the tax on trailers with a total gross weight of 3,000 pounds or less shall be payable biennially.

Sec. 7. Minnesota Statutes 1980, Section 168.013, Subdivision 1e, is amended to read:

Subd. 1e. [TRUCKS; TRACTORS; COMBINATIONS; EXCEPTIONS.] On all trucks and tractors except those in this chapter defined as farm trucks, and urban trucks, and on all truck-tractor and semi-trailer combinations except those defined as farm combinations and urban combinations *and on commercial zone vehicles*, the tax based on total gross weight (DURING THE FIRST SIX YEARS OF VEHICLE LIFE) shall be graduated according to (SCHEDULE I OF) the Minnesota base rate *schedule* prescribed in this subdivision, but in no event less than (\$28, AND DURING THE SEVENTH AND SUCCEEDING YEARS OF VEHICLE LIFE THE TAX SHALL BE GRADUATED ACCORDING TO SCHEDULE II OF THIS SUBDIVISION, BUT IN NO EVENT LESS THAN \$17) \$120.

MINNESOTA BASE RATE SCHEDULE

Scheduled taxes include five percent
surtax provided for in subdivision 14

TOTAL GROSS WEIGHT IN POUNDS	(SCHEDULE (SCHEDULE	
	I) Tax	II TAX)
A 0 - 1,500	\$ (5.00)	15 \$(...)
B 1,501 - 3,000	(9.00)	20 (...)

TOTAL GROSS WEIGHT IN POUNDS		(SCHEDULE I) Tax	(SCHEDULE II TAX)
C	3,001 - 4,500	(14.00)	25 (8.00)
D	4,501 - 6,000	(19.00)	35 (11.00)
E	6,001 - 9,000	(28.00)	45 (17.00)
F	9,001 - 12,000	(39.00)	70 (23.00)
G	12,001 - 15,000	(62.00)	105 (37.00)
H	15,001 - 18,000	(86.00)	145 (52.00)
I	18,001 - 21,000	(114.00)	190 (68.00)
J	21,001 - 27,000	(158.00)	270 (95.00)
K	27,001 - 33,000	(230.00)	360 (138.00)
L	33,001 - 39,000	(320.00)	470 (192.00)
M	39,001 - 45,000	(420.00)	590 (252.00)
N	45,001 - 51,000	(540.00)	710 (324.00)
O	51,001 - 57,000	(690.00)	860 (414.00)
P	57,001 - 63,000	(830.00)	1010 (498.00)
Q	63,001 - 69,000	(970.00)	1180 (582.00)
R	69,001 - 73,280	(1,050.00)	1320 (630.00)
S	73,281 - (77,000) 78,000	(1,155.00)	1520 (693.00)
T	(77,001) 78,001 - 81,000	(1,260.00)	1620 (746.00)

For each vehicle with a gross weight in excess of 81,000 pounds an additional tax of (\$36) \$50 is imposed for each ton or fraction thereof in excess of 81,000 pounds, subject to provisions of subdivision 12.

(PROVIDED HOWEVER, THAT ON ALL TRUCKS, EXCEPT THOSE IN THIS CHAPTER DEFINED AS FARM

TRUCKS AND URBAN TRUCKS, HAVING A GROSS WEIGHT IN EXCESS OF 18,000 POUNDS BUT LESS THAN 27,001 POUNDS, THE TAX SHALL BE:)

((A) FOR THE REGISTRATION YEAR 1976, 70 PERCENT OF THE APPLICABLE SCHEDULE I OR SCHEDULE II OF THIS SUBDIVISION;)

((B) FOR THE REGISTRATION YEAR 1977, 80 PERCENT OF THE APPLICABLE SCHEDULE I OR SCHEDULE II OF THIS SUBDIVISION;)

((C) FOR THE REGISTRATION YEAR 1978, 90 PERCENT OF THE APPLICABLE SCHEDULE I OR SCHEDULE II OF THIS SUBDIVISION;)

((D) FOR THE REGISTRATION YEAR 1979 AND THEREAFTER, 100 PERCENT OF THE APPLICABLE SCHEDULE I OR SCHEDULE II OF THIS SUBDIVISION.)

(ON VEHICLES HAVING A GROSS WEIGHT IN EXCESS OF 27,000 POUNDS, AND USED FOR THE TRANSPORTATION OF LIVESTOCK OR UNPROCESSED AND RAW FARM PRODUCTS SHALL BE TAXED AT 90 PERCENT OF THE MINNESOTA BASE RATE PRESCRIBED BY THIS SUBDIVISION UNDER SCHEDULE I DURING EACH OF THE FIRST SIX YEARS OF VEHICLE LIFE AND DURING THE SEVENTH AND SUCCEEDING YEARS OF VEHICLE LIFE AS TAKEN FROM SCHEDULE II, PROVIDED THE GROSS RECEIPTS DERIVED FROM SUCH USE EQUAL OR EXCEED 60 PERCENT OF THE OWNER'S TOTAL GROSS RECEIPTS FROM THE OPERATION OF SUCH VEHICLE DURING THE 12 MONTH PERIOD IMMEDIATELY PRECEDING THE DATE SET BY LAW FOR THE REREGISTRATION OF SUCH VEHICLE. THE OWNER SHALL FURNISH SUCH INFORMATION AS THE COMMISSIONER OF PUBLIC SAFETY MAY REQUIRE, INCLUDING SWORN STATEMENTS OF FACT, AND THE COMMISSIONER OF PUBLIC SAFETY SHALL THEREUPON DETERMINE WHETHER SUCH OWNER COMES WITHIN THE PROVISIONS OF THIS PARAGRAPH.)

(IF AN OWNER HAS NOT USED SUCH VEHICLE FOR THE TRANSPORTATION OF LIVESTOCK OR UNPROCESSED AND RAW FARM PRODUCTS SO AS TO BE ABLE TO REPORT GROSS RECEIPTS FOR THE 12 MONTH PERIOD AS HEREIN SET FORTH, HE MAY, NEVERTHELESS, APPLY FOR REGISTRATION HEREUNDER AND PAY THE REDUCED TAX AND THE COMMISSIONER OF PUBLIC SAFETY SHALL, AFTER CONSIDERATION OF THE ESTABLISHED FACTS, DETERMINE WHETHER SUCH OWNER IS ENTITLED TO HAVE SUCH REGISTRATION APPROVED.)

(IF AN OWNER FAILS TO OPERATE UNDER THE CONDITIONS AND LIMITATIONS HEREIN SET FORTH, HE SHALL IMMEDIATELY NOTIFY THE COMMISSIONER OF PUBLIC SAFETY OF SUCH FACT AND PAY THE DIFFERENCE BETWEEN THE SCHEDULED GROSS WEIGHT TAX AND THE REDUCED TAX PROPORTIONATE TO THE NUMBER OF MONTHS REMAINING IN THE YEAR, $1/12$ OF THE DIFFERENCE FOR EACH MONTH OR FRACTION THEREOF, BEGINNING WITH THE MONTH IN WHICH SUCH OPERATIONS WERE DISCONTINUED OR CHANGED.)

(IF AN OWNER FIRST USES SUCH VEHICLE FOR THE TRANSPORTATION OF LIVESTOCK AND UNPROCESSED AND RAW FARM PRODUCTS AFTER THE TAX BECOMES DUE WITHOUT REDUCTION, NO ADJUSTMENT OF REFUND OF TAX SHALL BE MADE DURING THAT CALENDAR YEAR FOR REASONS OF TRANSPORTING LIVESTOCK AND UNPROCESSED AND RAW FARM PRODUCTS.)

All truck-tractors except those herein defined as farm and urban truck-tractors *and commercial zone vehicles* shall be taxed in accord with the foregoing gross weight tax schedule on the basis of the combined gross weight of such truck-tractor and any semi-trailer or semitrailers which the applicant proposes to combine with the truck-tractor. In addition, to (SUCH) *the* gross weight tax imposed on the truck-tractor, each semi-trailer shall be taxed a fee of (\$10) \$30 for a one year period or (\$50) \$150 for a five year period whichever the applicant elects.

(URBAN) *Commercial zone* trucks include only all trucks and all truck-tractors (AND SEMI-TRAILERS USED EXCLUSIVELY IN TRANSPORTING PROPERTY WITHIN THE METROPOLITAN AREA CONSISTING OF HENNEPIN, RAMSEY, SCOTT, DAKOTA, ANOKA, WASHINGTON AND CARVER COUNTIES, OR WITHIN THE CORPORATE LIMITS OF ANY CITY OR CONTIGUOUS CITIES OR WITHIN ONE MILE OF CITIES OF THE FIRST AND SECOND CLASS. FOR THE PURPOSES OF THIS CLAUSE A LAND AREA CEDED TO THE UNITED STATES OF AMERICA UNDER GENERAL LAWS 1889, CHAPTER 57, IS A STATUTORY CITY. THE VEHICLE SHALL NOT BE OPERATED OUTSIDE THE METROPOLITAN AREA OR CORPORATE LIMITS OF SUCH CITY OR CONTIGUOUS CITIES, OR BEYOND ONE MILE OF CITIES OF THE FIRST AND SECOND CLASS; EXCEPT THAT THE COMMISSIONER OF PUBLIC SAFETY MAY, BY SPECIAL PERMIT, AUTHORIZE THE PERMANENT REMOVAL OF SUCH VEHICLE FROM ANY REGISTRATION AREA TO ANOTHER. THE LICENSE PLATES ISSUED THEREFOR SHALL BE PLAINLY MARKED. ON URBAN TRUCKS AND COMBINATIONS THE TAX SHALL BE BASED ON TOTAL GROSS WEIGHT AND SHALL BE 30 PERCENT OF THE MINNESOTA BASE RATE

PREScribed IN THIS SUBDIVISION UNDER SCHEDULE I DURING EACH OF THE FIRST SIX YEARS OF VEHICLE LIFE, BUT IN NO EVENT LESS THAN \$19, AND DURING THE SEVENTH AND SUCCEEDING YEARS OF VEHICLE LIFE AS TAKEN FROM SCHEDULE II, BUT IN NO EVENT LESS THAN \$11. IN ADDITION TO SUCH GROSS WEIGHT TAX IMPOSED ON THE TRUCK-TRACTOR, EACH SEMI-TRAILER SHALL BE TAXED A FEE OF \$10 FOR A ONE YEAR PERIOD OR \$50 FOR A FIVE YEAR PERIOD WHICHEVER THE APPLICANT ELECTS. PROVIDED THAT ON VEHICLES USED BY AN AUTHORIZED LOCAL CARTAGE CARRIER OPERATING UNDER A PERMIT ISSUED PURSUANT TO SECTION 221.296 AND WHOSE GROSS TRANSPORTATION REVENUE CONSIST OF AT LEAST 60 PERCENT OBTAINED SOLELY FROM LOCAL CARTAGE CARRIAGE, SHALL BE TAXED AT 90 PERCENT OF THE PRESCRIBED URBAN TRUCK AND COMBINATION RATES FOR THE LIFE OF THE VEHICLE DURING EACH YEAR SUCH VEHICLE IS USED, PROVIDED THAT THE GROSS REVENUES OBTAINED FROM TRANSPORTATION SERVICES IS OBTAINED FROM LOCAL CARTAGE CARRIAGE IS AT LEAST 60 PERCENT OF ALL REVENUE OBTAINED FROM TRANSPORTATION SERVICES BY SAID PERSON; AND PROVIDED FURTHER, THAT SAID TAX SHALL IN NO EVENT BE LESS THAN \$10.) *and semi-trailers which are:*

(1) *used by an authorized local cartage carrier operating under a permit issued pursuant to section 221.296 and whose gross transportation revenue consists of at least 60 percent obtained solely from local cartage carriage, and are operated solely within the area defined in section 221.296, subdivision 1; or,*

(2) *operated by an interstate carrier registered pursuant to section 221.61 or 221.62, or by an authorized local cartage carrier or other carrier receiving operating authority pursuant to chapter 221, and operated solely within a zone exempt from regulation by the Interstate Commerce Commission pursuant to 49 U.S.C. 10526(b).*

The license plates issued for commercial zone vehicles shall be plainly marked. Any person operating a commercial zone vehicle outside the zone or area in which its operation is authorized is guilty of a misdemeanor and, in addition to the penalty therefor, shall have the registration of the vehicle as a commercial zone vehicle revoked by the registrar and shall be required to re-register the vehicle at 100 percent of the full annual tax prescribed in the Minnesota base rate schedule, and no part of this tax shall be refunded during the balance of the registration year.

On commercial zone trucks the tax shall be based on the total gross weight of the vehicle and during the first nine years of

vehicle life shall be 75 percent of the Minnesota base rate schedule. During the tenth and succeeding years of vehicle life the tax shall be 50 percent of the Minnesota base rate schedule.

On all trucks, truck-tractors and semi-trailer combinations, except those defined as farm trucks and farm combinations, and except for those urban trucks and combinations and commercial zone vehicles specifically provided for in this subdivision, the tax for the first six years of vehicle life shall be:

(a) for the 1982 registration year, 83 percent of the tax imposed in the Minnesota base rate schedule;

(b) for the 1983 registration year, 89 percent of the tax imposed in the Minnesota base rate schedule;

(c) for the 1984 registration year, 95 percent of the tax imposed in the Minnesota base rate schedule;

(d) for the 1985 registration year, and each succeeding year, 100 percent of the tax imposed in the Minnesota base rate schedule.

For all such vehicles, the tax for the seventh and succeeding years of vehicle life shall be:

(a) for the 1982 registration year, 70 percent of the tax imposed in the Minnesota base rate schedule;

(b) for the 1983 registration year, 80 percent of the tax imposed in the Minnesota base rate schedule;

(c) for the 1984 registration year, 90 percent of the tax imposed in the Minnesota base rate schedule;

(d) for the 1985 registration year, and each succeeding year, 100 percent of the tax imposed in the Minnesota base rate schedule.

Sec. 8. Minnesota Statutes 1980, Section 168.013, Subdivision 1f, is amended to read:

Subd. 1f. [(INTERCITY) BUSES.] On all intercity buses, the tax during each of the first two years of vehicle life shall be based on the gross weight of the vehicle and graduated according to the following schedule:

Gross Weight of Vehicle	Tax
Under 6,000 lbs.	\$125
6,000 to 8,000 lbs., incl.	125

Gross Weight of Vehicle	Tax
8,001 to 10,000 lbs., incl.	125
10,001 to 12,000 lbs., incl.	150
12,001 to 14,000 lbs., incl.	190
14,001 to 16,000 lbs., incl.	210
16,001 to 18,000 lbs., incl.	225
18,001 to 20,000 lbs., incl.	260
20,001 to 22,000 lbs., incl.	300
22,001 to 24,000 lbs., incl.	350
24,001 to 26,000 lbs., incl.	400
26,001 to 28,000 lbs., incl.	450
28,001 to 30,000 lbs., incl.	500
30,001 and over	550

During each of the third and fourth years of vehicle life, the tax shall be 75 percent of the foregoing scheduled tax; during the fifth year of vehicle life, the tax shall be 50 percent of the foregoing scheduled tax; during the sixth year of vehicle life, the tax shall be 37 1/2 percent of the foregoing scheduled tax; and during the seventh and each succeeding year of vehicle life, the tax shall be 25 percent of the foregoing scheduled tax; provided that the annual tax paid in any year of its life for an intercity bus shall be not less than \$175 for a vehicle of over 25 passenger seating capacity and not less than \$125 for a vehicle of 25 passenger and less seating capacity.

On all intracity buses operated by an auto transportation company in the business of transporting persons for compensation as a common carrier and operating within the limits of cities having populations in excess of 200,000 inhabitants, the tax during each year of the vehicle life of each such bus shall be \$40; on all of such intracity buses operated in cities having a population of less than 200,000 and more than 70,000 inhabitants, the tax during each year of vehicle life of each bus shall be \$10; and on all of such intracity buses operating in cities having a population of less than 70,000 inhabitants, the tax during each year of vehicle life of each bus shall be \$2.

On all other buses the tax during each of the first three years of the vehicle life shall be based on the gross weight of the vehicle

and graduated according to the following schedule: Where the gross weight of the vehicle is 6,000 pounds or less, \$25. Where the gross weight of the vehicle is more than 6,000 pounds, and not more than 8,000 pounds, the tax shall be \$25 plus an additional tax of \$5 per ton for the ton or major portion in excess of 6,000 pounds. Where the gross weight of the vehicle is more than 8,000 pounds, and not more than 20,000 pounds, the tax shall be \$30 plus an additional tax of \$10 per ton for each ton or major portion in excess of 8,000 pounds. Where the gross weight of the vehicle is more than 20,000 pounds and not more than 24,000 pounds, the tax shall be \$90 plus an additional tax of \$15 per ton for each ton or major portion in excess of 20,000 pounds. Where the gross weight of the vehicle is more than 24,000 pounds and not more than 28,000 pounds, the tax shall be \$120 plus an additional tax of \$25 per ton for each ton or major portion in excess of 24,000 pounds. Where the gross weight of the vehicle is more than 28,000 pounds, the tax shall be \$170 plus an additional tax of \$30 per ton for each ton or major portion in excess of 28,000 pounds.

During (EACH OF) the fourth (, FIFTH AND SIXTH) *and succeeding* years of vehicle life, the tax shall be 80 percent of the foregoing scheduled tax but in no event less than \$20 per vehicle.

(DURING EACH OF THE SEVENTH, EIGHTH AND NINTH YEARS OF VEHICLE LIFE, THE TAX SHALL BE 60 PERCENT OF THE FOREGOING SCHEDULED TAX BUT IN NO EVENT LESS THAN \$16 PER VEHICLE.)

(DURING THE TENTH AND SUCCEEDING YEARS OF VEHICLE LIFE. THE TAX SHALL BE 40 PERCENT OF THE FOREGOING SCHEDULED TAX BUT IN NO EVENT LESS THAN \$12 PER VEHICLE.)

Sec. 9. Minnesota Statutes 1980, Section 168.013, Subdivision 1g, is amended to read:

Subd. 1g. [RECREATIONAL VEHICLES.] Selfpropelled recreational vehicles shall be separately licensed and taxed annually on the basis of total gross weight (AT 100 PERCENT OF) *and the tax shall be graduated according to* the Minnesota base rate *schedule* prescribed in subdivision 1e (UNDER SCHEDULE I DURING EACH OF THE FIRST SIX YEARS OF VEHICLE LIFE), but in no event less than (\$14, AND DURING THE SEVENTH AND SUCCEEDING YEARS OF VEHICLE LIFE AS TAKEN FROM SCHEDULE II, BUT IN NO EVENT LESS THAN \$8) \$20.

For all selfpropelled recreational vehicles, the tax for the seventh and succeeding years of vehicle life shall be:

(a) *for the 1982 registration year, 68 percent of the tax imposed in the Minnesota base rate schedule;*

(b) for the 1983 registration year, 76 percent of the tax imposed in the Minnesota base rate schedule;

(c) for the 1984 registration year, 84 percent of the tax imposed in the Minnesota base rate schedule;

(d) for the 1985 registration year, 92 percent of the tax imposed in the Minnesota base rate schedule;

(e) for the 1986 registration year and each succeeding year, 100 percent of the tax imposed in the Minnesota base rate schedule.

Towed recreational vehicles shall be separately licensed and taxed annually on the basis of total gross weight at 30 percent of the Minnesota base rate prescribed in subdivision 1e (UNDER SCHEDULE I) but in no event less than \$5.

The annual tax on a slip-in camper as defined in section 168.011, subdivision 25, shall be as provided for selfpropelled recreational vehicles unless (SUCH) *the* owner elects to register (SUCH) *the* slip-in camper as a truck. If the owner elects to register (SUCH) *the* slip-in camper as a truck, the annual tax shall be either the tax imposed for selfpropelled recreational vehicles or the tax imposed for trucks on the basis of gross weight in subdivision 1e, whichever is higher. Notwithstanding any law to the contrary, all trailers and semitrailers taxed pursuant to this section shall be exempt from any wheelage tax now or hereafter imposed by any political subdivision or political subdivisions.

Sec. 10. Minnesota Statutes 1980, Section 168.013, Subdivision 1h, is amended to read:

Subd. 1h. [MOTORIZED BICYCLES.] On motorized bicycles the tax is (\$3) \$6, which includes the surtax provided for in subdivision 14.

Sec. 11. Minnesota Statutes 1980, Section 168.013, is amended by adding a subdivision to read:

Subd. 1i. [URBAN TRUCKS.] On all vehicles registered as urban trucks for the registration year 1981, or any part thereof, and which are not registered as commercial zone trucks for the registration year 1982 and succeeding years, the tax shall be:

(a) for the registration year 1982, 50 percent of the tax imposed in the Minnesota base rate schedule;

(b) for the registration year 1983, 67 percent of the tax imposed in the Minnesota base rate schedule;

(c) for the registration year 1984, 84 percent of the tax imposed in the Minnesota base rate schedule;

(d) for the registration year 1985, and each succeeding year, 100 percent of the tax imposed in the Minnesota base rate schedule.

Beginning with the registration year 1985, the registrar shall not issue urban license plates.

Sec. 12. [168.018] [QUARTERLY REGISTRATION OF FARM TRUCKS.]

The owner of any farm truck as defined in section 168.011, subdivision 17, may elect to register and license the farm truck only for one or more quarters of a registration year, at a tax of one-fourth of the annual tax on the vehicle plus \$5 for each quarterly registration. The expiration date of a quarterly registration shall be displayed on the license plate in such a manner as the registrar shall direct. No farm truck registered on a quarterly basis shall be operated on the public streets and highways more than ten days beyond the end of the quarter for which it is registered unless the registration has been renewed for another quarter or for the remainder of the registration year.

For purposes of this section registration quarters shall begin on March 1, June 1, September 1, and December 1.

Sec. 13. Minnesota Statutes 1980, Section 168.12, Subdivision 2, is amended to read:

Subd. 2. [AMATEUR RADIO STATION LICENSEE; SPECIAL LICENSE PLATES.] Any applicant who is an owner or joint owner of a motor vehicle and a resident of this state, and who holds an official amateur radio station license, or a citizens radio service class D license, in good standing, issued by the Federal Communications Commission shall upon compliance with all laws of this state relating to registration and the licensing of motor vehicles and drivers, be furnished with license plates for (SUCH) the motor vehicle, as prescribed by law for passenger cars, upon which, in lieu of the numbers required for identification under subdivision 1, shall be inscribed the official amateur call letters of (SUCH) the applicant, as assigned by the Federal Communications Commission. The applicant shall pay in addition to the registration tax required by law, the sum of (\$2.50) \$25 for (SUCH) the special license plates, and at the time of delivery of (SUCH) the special license plates the applicant shall surrender to the registrar the current license plates issued for (SUCH) the motor vehicle. This provision for the issue of special license plates shall apply only if the applicant's passenger automobile is already registered in Minnesota so that the

applicant has valid regular Minnesota plates issued for that passenger automobile under which to operate it during the time that it will take to have the necessary special license plates made. If the applicant owns or jointly owns more than one motor vehicle he may apply for special plates for each of not more than two vehicles, and, if each application complies with this subdivision, the registrar shall furnish the applicant with (SUCH) *the* special plates, inscribed with the official amateur call letters and (SUCH) other distinguishing information as the registrar considers necessary, for each of the two vehicles. And the registrar may make (SUCH) reasonable regulations governing the use of (SUCH) *the* special license plates as will assure the full compliance by the owner and holder of (SUCH) *the* special plates, with all existing laws governing the registration of motor vehicles, the transfer and the use thereof. When the ownership of a motor vehicle for which (SUCH) special license plates have been furnished by the registrar, changes from one person to another, the special license plates herein authorized shall be promptly removed from the motor vehicle by the seller and returned to the registrar, at which time the seller or the buyer of (SUCH) *the* motor vehicle shall be entitled to receive license plates for (SUCH) *the* motor vehicle as provided in section 168.15.

Sec. 14. Minnesota Statutes 1980, Section 168.12, Subdivision 2a, is amended to read:

Subd. 2a. [PERSONALIZED LICENSE PLATES.] Personalized license plates shall be issued to any applicant for registration of a passenger automobile, station wagon, van or pickup truck with a gross weight of 9,000 pounds or less, or self-propelled recreational vehicle, upon compliance with all laws of this state relating to registration of the vehicle, and upon payment of a fee of (\$50) \$100 in addition to the registration tax required by law for the vehicle. In lieu of the numbers assigned as provided in subdivision 1, such personalized license plates shall have imprinted thereon a series of not to exceed any combination of six numbers and letters. When an applicant has once obtained personalized plates, he shall have a prior claim for similar personalized plates in the next succeeding year that plates are issued if he makes application for them at least 30 days prior to the first date on which his registration can be renewed. The commissioner of public safety shall adopt rules and regulations in the manner provided by chapter 15, regulating the issuance and transfer of such personalized license plates. No words or combination of letters placed on such personalized license plates may be used for commercial advertising or be of an obscene, indecent or immoral nature, or such as would offend public morals or decency. The call signals or letters of a radio or television station shall not be construed as commercial advertising for the purposes of this subdivision.

Notwithstanding the provisions of subdivision 1, personalized license plates issued pursuant to this subdivision may be transferred to another motor vehicle upon the payment of a fee of \$5,

which fee shall be paid into the state treasury and credited to the highway user tax distribution fund. The registrar may by regulation provide a form for such notification.

The fee prescribed for personalized license plates shall be paid only in those years in which the number plate itself is issued, and shall not be payable in any year in which a year plate, tab or sticker is issued in lieu of a number plate.

All fees from the sale of personalized license plates shall be paid into the state treasury and credited to the highway user tax distribution fund.

Sec. 15. Minnesota Statutes 1980, Section 168.16, is amended to read:

168.16 [REFUNDS; APPROPRIATION.]

After the tax upon any motor vehicle shall have been paid for any year, refund shall be made for errors made in computing the tax or fees and for the error on the part of an owner who may in error have registered a motor that was not before, nor at the time of (SUCH) registration, nor at any time thereafter during the current past year, subject to (SUCH) tax in this state, provided that after more than two years after (SUCH) *the* tax was paid no refund shall be made for any tax paid on any vehicle exempted from taxation by reasons of nonuse as provided by section 168.012. (SUCH) *The* refundment shall be made from any fund in possession of the registrar and shall be deducted from his monthly report to the commissioner of finance. A detailed report of (SUCH) *the* refundment shall accompany the report. The former owner of a transferred vehicle by an assignment in writing endorsed upon his registration certificate and delivered to the registrar within the time provided herein may sell and assign to the new owner thereof the right to have the tax paid by him accredited to (SUCH) *the* owner who duly registers (SUCH) *the* vehicle. Any owner at the time of such occurrence, whose vehicle shall be permanently destroyed, (PERMANENTLY REMOVED FROM THE STATE,) or sold to the federal government, the state, or political subdivision thereof, shall upon filing a verified claim be entitled to a refund of the unused portion of the tax paid upon the vehicle, computed as follows:

(1) If the vehicle is registered under the calendar year system of registration, the refund is computed pro rata by the month, one-twelfth of the annual tax paid for each month of the year remaining after the month in which the plates and certificate were returned to the registrar;

(2) In the case of a vehicle registered under the monthly series system of registration, the amount of the refund is equal to the sum of the amounts of the license fee attributable to

those months remaining in the licensing period after the month in which the plates and certificate were returned to the registrar.

(PROVIDED, HOWEVER, THAT IN THE CASE OF A VEHICLE PERMANENTLY REMOVED FROM THE STATE AND THE REGISTRAR IS SATISFIED THAT THE REGISTRATION PLATES AND CERTIFICATE HAVE BEEN SURRENDERED TO AND CANCELED BY THE MOTOR VEHICLE DEPARTMENT OF ANOTHER STATE OR COUNTRY, HE MAY COMPUTE THE REFUND IN THE SAME MANNER AS IF SUCH PLATES AND CERTIFICATE WERE RETURNED TO HIM AS OF THE DATE OF SUCH SURRENDER AND CANCELLATION.)

There is hereby appropriated to the persons entitled to (SUCH) a refund, from the fund or account in the state treasury to which the money was credited, an amount sufficient to make the refund and payment.

Sec. 16. Minnesota Statutes 1980, Section 168.27, Subdivision 16, is amended to read:

Subd. 16. [PLATES, DISTINGUISHING NUMBERS.] (a) The registrar shall issue to every motor vehicle dealer, upon a request from such motor vehicle dealer licensed as provided in subdivisions 2 or 3, one or more pair of number plates displaying a general distinguishing number upon the payment of \$10 to the registrar. In addition the dealer shall pay a motor vehicle excise tax of \$15 annually for each pair of dealer plates purchased as required by section 297B.035. The registrar shall deposit the tax in the state treasury and it shall be credited (TO THE GENERAL FUND) *as provided in section 297B.09.* Motor vehicles, new or used, owned by such motor vehicle dealer and bearing such number plates, except vehicles leased to the user who is not an employee of the dealer during the term of the lease, held for hire, or customarily used by the dealer as a tow truck, service truck, or parts pickup truck, may be driven upon the streets and highways of this state by such motor vehicle dealer, or any employee of such motor vehicle dealer or by any member of the immediate family of such dealer or employee for either private or business purposes; or may be driven upon the streets and highways for demonstration purposes by any prospective buyer thereof for a period of 48 hours or in the case of a truck, truck-tractor, or semi-trailer, for a period of seven days.

(b) A new or used motor vehicle sold by such motor vehicle dealer and bearing the motor vehicle dealer's number plates may be driven upon the public streets and highways for a period of 72 hours by the buyer for either of the following purposes: (1) Removing the vehicle from this state for registration in another state, or (2) permitting the buyer to use the motor vehicle before he receives number plates pursuant to his own

registration. Use of a motor vehicle by the buyer under the provisions of clause (2) of the preceding sentence before he receives number plates pursuant to his own registration constitutes a use of the public streets or highways for the purpose of the time requirements for registration of motor vehicles.

Sec. 17. Minnesota Statutes 1980, Section 168C.11, Subdivision 1, is amended to read:

Subdivision 1. [APPOINTMENT.] Subject to the provisions of subdivision 2, the commissioner shall appoint as deputy registrars of bicycles any bicycle dealer, or agent or employee thereof, or any agent or employee designated by a municipality that sells bicycles at public auction who applies for appointment in a manner prescribed by the commissioner; provided that concurrently there may be no more than one such deputy for each separate place of business of a bicycle dealer. Deputy registrars of bicycles shall act as agents of the commissioner and may accept registrations as provided in Laws 1976, Chapter 199, except that no deputy registrar of bicycles shall be required to register bicycles sold by other bicycle dealers. The commissioner, deputy registrars of motor vehicles, and deputy registrars of bicycles may charge and retain an additional (50 CENTS) \$1 per registration granted for their services. In the case of a deputy registrar of motor vehicles, the (50 CENTS) \$1 shall be deposited in the treasury of the place for which he is appointed, or if the deputy is not a public official he shall retain the filing fee. All other registration fees collected by the commissioner, deputy registrars of motor vehicles and deputy registrars of bicycles shall be processed, accounted for and transmitted to the state treasurer as required by the commissioner.

Sec. 18. Minnesota Statutes 1980, Section 169.79, is amended to read:

169.79 [VEHICLE REGISTRATION.]

No person shall operate, drive or park a motor vehicle on any highway unless the vehicle is registered in accordance with the laws of this state and has the number plates for the current year only, as assigned to it by the commissioner of public safety, conspicuously displayed thereon in a manner that the view of any plate is not obstructed. If the vehicle is a motorcycle, motor scooter, motorized bicycle, motorcycle sidecar, trailer, or semitrailer, one (SUCH) plate shall be displayed on the rear thereof; if the vehicle is a truck-tractor (OR), road-tractor or farm truck, *as defined in section 168.011, subdivision 17, but excluding from that definition semitrailers and trailers*, one (SUCH) plate shall be displayed on the front thereof; if it is any other kind of motor vehicle, one (SUCH) plate shall be displayed on the front and one on the rear thereof. All plates shall be securely fastened so as to prevent them from swinging. The person driving the motor

vehicle shall keep the plate legible and unobstructed and free from grease, dust, or other blurring material so that the lettering shall be plainly visible at all times.

Sec. 19. Minnesota Statutes 1980, Section 171.02, Subdivision 3, is amended to read:

Subd. 3. [MOTORIZED BICYCLES.] No motorized bicycle shall be operated on any public roadway by any person who does not possess a valid drivers license, unless the person has obtained a motorized bicycle operator's permit from the commissioner of public safety. The permit may be issued to any person who has attained the age of 15 years and who has passed the examination prescribed by the commissioner. The commissioner may promulgate rules and regulations prescribing the content of the examination and the information to be contained on the permit.

The fees for motorized bicycle operator's permit are as follows:

- | | |
|--|--------------|
| (a) Examination and operator's permit,
valid for one year | (\$2.50) \$4 |
| (b) Duplicate | (\$1.50) \$2 |
| (c) Renewal permit before age 18
and valid until age 18 | (\$3) \$6 |
| (d) Renewal permit after age 18
and valid for four years | (\$5) \$10 |
| (e) Duplicate of any renewal permit | (\$2) \$3 |

Sec. 20. Minnesota Statutes 1980, Section 171.06, Subdivision 1, is amended to read:

Subdivision 1. [FORMS OF APPLICATION.] Every application for an instruction permit or for a driver's license shall be made upon a form furnished by the department, and every application shall be accompanied by the proper fee. All (SUCH) applications (EXCEPT APPLICATIONS FOR RENEWAL) shall be signed in the presence of the person authorized to accept (SUCH) the applications, or the signature on the application (SHALL) may be verified by a notary public. (PAYMENT OF THE FEE FOR THE CLASS B LICENSE AND CLASS A LICENSE UPON INITIAL APPLICATION WILL BE AT THE PLACE OF APPLICATION.)

Sec. 21. Minnesota Statutes 1980, Section 171.06, Subdivision 2, is amended to read:

Subd. 2. [FEES.] (a) The fees for a license (SHALL BE) and Minnesota identification card are as follows:

Classified Driver License C-(\$5) \$10 B-(\$10) \$15 A-(\$15) \$20

Classified Provisional D.L. C-(3) \$6 B-(5) \$10

Instruction Permit (2.00) \$2

Duplicate Driver or Provisional License (1.50) \$3

Minnesota identification card, except

as otherwise provided in section 171.07,

subdivisions 3 and 3a

\$6

Sec. 22. Minnesota Statutes 1980, Section 171.06, is amended by adding a subdivision to read:

Subd. 3a. [MIDDLE NAME MAY BE MAIDEN NAME.] For the purposes of subdivision 3, and section 171.07, subdivision 1, the full name of a married applicant may include, at the option of the applicant, the applicant's family name prior to marriage instead of the applicant's given middle name, notwithstanding the middle name specified on the applicant's marriage certificate.

Sec. 23. Minnesota Statutes 1980, Section 171.06, Subdivision 4, is amended to read:

Subd. 4. [APPLICATION, FILING.] Any applicant for an instruction permit, a driver's license, restricted license, or duplicate license may file (HIS) an application with a clerk of the district court or at a state office. (SUCH) The clerk or state office shall (AND IS HEREBY AUTHORIZED TO) receive and accept (SUCH) the application. (TO COVER ALL EXPENSES INVOLVED IN RECEIVING, ACCEPTING OR FORWARDING TO THE DEPARTMENT APPLICATIONS AND FEES, THE STATE OFFICE MAY CHARGE 50 CENTS FOR EACH APPLICATION FOR AN INSTRUCTION PERMIT, DUPLICATE LICENSE; DRIVER LICENSE OR RESTRICTED LICENSE, SUCH ADDITIONAL FEE SHALL ALSO BE FORWARDED TO THE DEPARTMENT.) To cover all expenses involved in receiving, accepting, or forwarding to the department applications and fees, the clerk of the district court may (CHARGE AND) retain a county fee of \$1 for each application for (AN) a Minnesota identification card, instruction permit, duplicate license, driver license, or restricted license (, THE COUNTY FEE OF \$1 SHALL BE IN ADDITION TO THE FEES OTHERWISE PROVIDED BY LAW). The amount allowed to be retained by the clerk of the district court shall be paid

into the county treasury and credited to the general revenue fund of the county. The clerk of court shall forward all applications and fees, less the amount herein allowed to be retained for expense, to the department within (15) *ten* days of the receipt by him. The clerks of the district courts may appoint agents to assist in accepting applications, but the clerks shall require every (SUCH) agent to forward to the clerk by whom he is appointed all applications accepted and fees collected by him, except that an agent may retain one-half of the \$1 county fee to cover his expenses involved in receiving, accepting or forwarding the applications and fees. The clerks of court shall be responsible for the acts of agents appointed by them and for the forwarding to the department of all applications accepted and those fees collected by (SUCH) agents and by themselves as are required to be forwarded to the department.

Sec. 24. Minnesota Statutes 1980, Section 171.07, Subdivision 1, is amended to read:

Subdivision 1. The department shall, upon the payment of the required fee, issue to every applicant qualifying therefor a license designating the type or class of vehicles he is authorized to drive as applied for, which license shall bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, residence address, a description of the licensee in such manner as the commissioner deems necessary, and a space upon which the licensee shall write his usual signature with pen and ink. No license shall be valid until it has been so signed by the licensee. Except in the case of an instruction permit, every license shall bear thereon a colored photograph of the licensee. Every license issued to an applicant under the age of 18 shall be of a distinguishing color and plainly marked "provisional". The department shall use such process or processes in the issuance of licenses that prohibits as near as possible, the ability to alter or reproduce the licenses, or prohibit the ability to superimpose a photo on such licenses without ready detection. (EACH LICENSE CERTIFICATE ISSUED SHALL BE ON AN ALL PLASTIC OR LAMINATED PLASTIC CARD WITH THE IDENTIFYING INFORMATION EMBOSSED THEREON.) A license issued to an applicant of age 65 or over shall be plainly marked "senior" if requested by the applicant.

Sec. 25. Minnesota Statutes 1980, Section 171.07, Subdivision 3, is amended to read:

Subd. 3. Upon payment of the required fee (FOR A DRIVER'S LICENSE BEARING A COLORED PHOTOGRAPH,) the department may issue to every applicant who does not physically qualify for a driver's license, or any person not currently licensed to drive, who does not intend to apply for a driver's license under this section or who wishes to discontinue

driving and surrenders his current driver's license, a Minnesota identification card. The card shall bear (THEREON) a distinguishing number assigned to the applicant, *a colored photograph*, the full name, date of birth, residence address, a description of the applicant in (SUCH) *the* manner as the commissioner deems necessary, and a space upon which the applicant shall write his usual signature with pen and ink.

Each Minnesota identification card shall be (ON AN ALL PLASTIC OR LAMINATED PLASTIC CARD OF A DISTINGUISHING COLOR AND) plainly marked "non-driver". The fee for a Minnesota identification card issued to any person who is mentally retarded, as defined in section 252A.02, subdivision 2, shall be 50 cents.

Sec. 26. Minnesota Statutes 1980, Section 171.29, is amended to read:

171.29 [REVOKED LICENSES; EXAMINATION FOR NEW LICENSES.]

Subdivision 1. No person whose drivers license has been revoked by reason of conviction, plea of guilty, or forfeiture of bail not vacated, (UPON THREE CHARGES OF CARELESS OR RECKLESS DRIVING, COMMITTED WITHIN A PERIOD OF 12 MONTHS, OR A PERSON WHO IS CONVICTED OF A CHARGE OF DRIVING UNDER THE INFLUENCE OF ALCOHOLIC BEVERAGE OR NARCOTIC DRUG,) *under section 171.17 or 65B.67, or revoked under section 169.123* shall be issued another license unless and until he shall have successfully passed an examination as required for an initial license.

Subd. 2. Any person (WHO IS REQUIRED TO TAKE AN EXAMINATION AS PROVIDED IN SUBDIVISION 1 SHALL PAY A FEE OF \$2.50 FOR EACH EXAMINATION) *whose drivers license has been revoked as provided in subdivision 1 shall pay a \$30 fee before his drivers license is reinstated.*

Sec. 27. Minnesota Statutes 1980, Section 174.24, Subdivision 3, is amended to read:

Subd. 3. [FINANCIAL ASSISTANCE.] Payment of financial assistance shall be by contract between the commissioner and an eligible recipient. The commissioner shall determine the operating deficit of any public transit system receiving or applying for assistance in accordance with generally accepted accounting principles, provided that any financial assistance received from any agency of the federal government for the operation of a public transit system shall be treated as revenue for the purposes of determining the operating deficit. To be eligible for financial assistance an applicant or recipient shall provide to the commissioner all financial records and other

information and shall permit any inspection reasonably necessary to determine the amount of assistance which may be paid to the applicant or recipient. Where more than one county or municipality contributes assistance to the operation of a public transit system the commissioner shall identify one as lead agency for the purpose of receiving moneys under this section. The commissioner may adopt rules establishing performance standards for public transit systems for use in determining the amount of assistance which may be paid to an eligible recipient. Except as otherwise provided in this subdivision, payments shall not exceed two-thirds of the operating deficit of a public transit system. The commissioner shall adopt rules establishing uniform performance standards for private operators of regular route transit systems in the transit taxing district as defined in section 473.446, subdivision 2. Payments to those private operators shall be based on the uniform performance standards and shall not exceed 100 percent of the operating deficit. (PAYMENTS TO THE METROPOLITAN TRANSIT COMMISSION SHALL BE BASED UPON A PERFORMANCE FUNDING SYSTEM AS PROVIDED IN SECTION 174.28.)

Sec. 28. Minnesota Statutes 1980, Section 174.24, is amended by adding a subdivision to read:

Subd. 3a. [TRANSIT COMMISSION.] The commissioner shall provide financial assistance by contract to the metropolitan transit commission from appropriations provided for that purpose.

Sec. 29. [174.265] [METROPOLITAN TRANSIT SERVICE DEMONSTRATION PROGRAM.]

Subdivision 1. [DEFINITIONS.] For the purposes of this section, the terms defined in this subdivision have the meanings given them, unless the context requires otherwise.

(a) "Available local transit funds" means an amount equal to 90 percent of the tax proceeds which would accrue to the metropolitan transit commission from a tax levied in the applicant community or communities in accordance with section 473.446, subdivision 1, clauses (a) to (c).

(b) "Off-peak hours" has the meaning given it in section 473.408, subdivision 1.

Subd. 2. [ESTABLISHMENT OF PROGRAM.] A metropolitan transit service demonstration program is established to provide financial assistance for projects designed to test the efficiency and effectiveness of alternative methods of providing public transit service for communities that are within the metropolitan transit taxing district but are not adequately served by the existing regular route transit.

Subd. 3. [ELIGIBILITY.] The commissioner may provide assistance under the program to any statutory or home rule charter city or town, or group of such cities or towns, which: (a) is located within the metropolitan transit taxing district, as defined in section 473.446, subdivision 2; (b) is not served by the metropolitan transit commission or is served only with bus routes which end or begin within the city or town, or group of cities or towns; and (c) has fewer than four scheduled runs of bus service provided by the commission during off-peak hours. Eligible cities or towns may apply on behalf of any operator of public transit with whom they propose to contract for service.

Subd. 4. [ASSISTANCE FOR REPLACEMENT SERVICE.] An application for financial assistance for replacement services shall: describe the existing service provided to the applicant by the metropolitan transit commission, including the estimated number of passengers carried and the routes, schedules, and fares; describe the transit service proposed for funding under the demonstration program, including the anticipated number of passengers and the routes, schedules, and fares; and indicate the total amount of available local transit funds, the portion of the available local transit funds proposed to be used to subsidize replacement services, and the amount of state assistance requested for the replacement services. Financial assistance shall not be granted under this subdivision unless the commissioner determines that the service proposed for funding is intended and designed to replace and substitute for that provided by the metropolitan transit commission at the time of application and that the average subsidy per passenger for the replacement service will not exceed the average subsidy per passenger during the six months preceding the application on the commission's routes which serve the applicant communities. If the applicant communities are not served by the commission at the time of the application, the average subsidy per passenger for the replacement service shall not exceed the average subsidy per passenger during the six months preceding the application on all routes of the commission extending into zone four. After the first year of replacement service, the maximum subsidy shall be escalated at a rate equal to the rate of inflation in the revised consumer price index for all urban consumers in the Minneapolis-St. Paul metropolitan area. The amount of financial assistance provided for replacement service under this subdivision shall not exceed the sum of: (a) the portion of the available local transit funds which the applicant proposes to use to subsidize the service, and (b) an amount of state assistance bearing an identical proportional relationship to the amount under (a) as the total amount of state assistance available to the metropolitan transit commission under section 2 bears to the total amount of taxes collected by the commission under section 473.446, subdivision 1, clauses (a) to (c). The commissioner shall transfer the amounts provided to the recipient from the assistance available to the metropolitan transit commission pursuant to section 174.24, subdivision 3.

Subd. 5. [ASSISTANCE FOR ADDITIONAL SERVICE.] Any city or town or group of cities or towns receiving financial assistance under subdivision 4 may also receive assistance pursuant to section 174.24, subdivision 3, or section 174.25. In addition to the information required of applicants for assistance under those sections, an application shall describe the portion of the available local transit funds which are not obligated to subsidize replacement service, under the assistance contract entered into pursuant to subdivision 4, and which the applicant proposes to use to subsidize additional services. An applicant which has exhausted its available local transit funds may use any other local subsidy funds to complete the required local share. If the commissioner grants financial assistance pursuant to this subdivision, the commissioner shall transfer the portion of the available local transit funds which the applicant proposes to use to subsidize the additional service from the assistance available to the metropolitan transit commission pursuant to section 174.24, subdivision 3.

Sec. 30. Minnesota Statutes 1980, Section 174.31, is amended to read:

174.31 [(SPECIAL DEMONSTRATION PROJECT;) CO-ORDINATION OF SPECIAL TRANSPORTATION SERVICE IN THE METROPOLITAN AREA.]

Subdivision 1. [ESTABLISHMENT; OBJECTIVES.] A (SPECIAL DEMONSTRATION) project for coordination of special transportation service in the metropolitan area as defined in section 473.121, subdivision 2, shall be established and implemented by the commissioner with the following objectives:

(a) To provide greater access to transportation for the elderly, handicapped and others with special transportation needs in the metropolitan area and particularly to fill all unmet needs for that transportation in the transit taxing district as defined in section 473.446, subdivision 2; (AND)

(b) To develop an integrated system of special transportation service providing transportation tailored to meet special individual needs in the most cost-efficient manner (USING EXISTING PUBLIC AND PRIVATE PROVIDERS OF SERVICE); and

(c) To use existing public and private providers of service wherever possible, to supplement rather than replace existing service, and to increase the productivity of all special transportation vehicles available in the area.

For the purpose of this section "project" means the (DEMONSTRATION) project established under this subdivision.

Subd. 2. [FINANCING; IMPLEMENTATION; MANAGEMENT AND ADVISORY GROUPS.] The project shall be operated pursuant to the rules governing and funded with money available under the paratransit grant program. The commissioner shall not operate the project but shall contract for services necessary for its operation. All transportation service provided through the project shall be provided under a contract between the commissioner and the provider which specifies the service to be provided and the rates for providing it. The commissioner shall establish a committee to set management policies for the project. The management policy committee shall include the commissioner or his designee, representatives of persons contracting to provide services for the project, a representative of the metropolitan council, a representative of the metropolitan transit commission and at least two representatives of the task force established to advise the committee. The meetings of the management policy committee shall be public and minutes of all meetings shall be taken, preserved and made available for public inspection. The commissioner shall establish an advisory task force of individuals representing the elderly, handicapped and other users of service provided by the project to advise the management policy committee.

Subd. 3. [DUTIES OF COMMISSIONER.] In implementing the project the commissioner shall:

(a) Encourage participation in the project by public and private providers of special transportation service currently receiving capital or operating assistance from a public agency;

(b) Contract with public and private providers that have demonstrated their ability to effectively provide service at a reasonable cost;

(c) Encourage individuals using service provided through the project to use the type of service most appropriate to their particular needs;

(d) Insure that all persons providing service through the project receive equitable treatment in the allocation of the ridership;

(e) Encourage shared rides to the greatest extent practicable;

(f) Insure that a full range of service is made available through the project to all parts of the metropolitan transit taxing district;

(g) Encourage public agencies that provide transportation to eligible individuals as a component of human services and educational programs to coordinate with the project and to allow

reimbursement for services provided through the project at rates that reflect the public cost of providing those services.

Subd. 4. [COORDINATION REQUIRED.] The commissioner shall not grant any financial assistance under section 174.24 or 174.25 to any recipient that proposes to use any part of the grant to provide special transportation service in the metropolitan area unless the program is coordinated with the project in the manner determined by the commissioner. (A RECIPIENT OF A GRANT MADE BEFORE JUNE 8, 1979 SHALL COORDINATE ITS PROGRAM WITH THE PROJECT AS FAR AS PRACTICABLE BUT SHALL NOT BE DENIED ANY ADDITIONAL GRANT FOR WHICH IT IS OTHERWISE QUALIFIED SOLELY BECAUSE IT IS NOT COORDINATED WITH THE PROJECT.)

Subd. 5. [(COMPLIANCE WITH) OPERATING AND SERVICE STANDARDS.] A vehicle providing special transportation service which is subject to the operating standards adopted pursuant to section 174.30 shall not be allowed to provide service through the project after January 1, 1981, unless a current certificate of compliance has been issued to the vehicle. *A person operating or assisting the operation of a vehicle may leave the vehicle to enter premises in order to help a passenger who does not require emergency ambulance service. Operators and assistants shall provide the help necessary for door-through-door service, including help in entering and leaving the vehicle and help through the exterior entrance and over any exterior steps at either departure or destination buildings, provided that both the steps and the wheelchair are in good repair. If an operator or assistant refuses help because of the condition of the steps or the wheelchair, the operator of the service shall send letters to the commissioner of transportation and the person denied service describing the corrective measures necessary to qualify for service.*

Subd. 6. [EVALUATION AND REPORTS.] The commissioner shall evaluate the project and submit a report to the legislature in January, 1981, including the following information:

(a) All amounts of money spent or obligated for the project by the commissioner and the persons receiving those amounts;

(b) The types of service provided, number of individuals served and areas covered;

(c) A comparison of the cost of providing different types of service;

(d) A review of the achievements or failures of the project, problems encountered in implementation and conclusions and recommendations concerning future action.

The commissioner shall submit a preliminary report to the legislature in January, 1980, covering the above information to the extent it is available at that time.

Subd. 7. [EXPIRATION OF PROJECT.] The project shall expire June 30, 1981, and the commissioner shall not enter a contract or make any grant the proceeds of which may be expended for the purpose of implementing or continuing the project beyond June 30, 1981.

Sec. 31. Minnesota Statutes 1980, Section 174.50, Subdivision 1, is amended to read:

Subdivision 1. State assistance is needed to supplement local effort and the highway user tax distribution fund in financing capital improvements to preserve and develop a balanced transportation system throughout the state. Such a system is a proper function and concern of state government and necessary to protect the safety and personal and economic welfare of all citizens. *It requires capital expenditures for public facilities, improvements, and equipment that are complementary, additional, and alternate to highways and are a proper object for contracting public debt and engaging in works of internal improvement under article XI, section 5, clause (a) of the constitution. These expenditures are needed to harmonize state and local highway systems with the requirements of the federal interstate highway system, to avoid harmful environmental impact of arterial highways on urban, scenic, and recreational areas, to provide auxiliary facilities for the convenience and safety of persons crossing highways and persons living and working adjacent to them, and to reduce the number of private motor vehicles on highways by providing alternate modes of transportation. Capital expenditures of this nature exceed requirements for basic highway systems and should be funded from sources other than the taxes and bonds authorized in article XIV of the constitution. However, the improvements tend to reduce the cost of maintenance of highways to the minimum required for accommodation of traffic, and the cost may and shall continue to be paid from taxes authorized in article XIV of the constitution. Immediate improvement needs are reconstruction and replacement of key bridges and approaches to remove obstructions to the flow of traffic on state and county highways, municipal streets and township roads and expedited completion of the interstate highway system in Minnesota by paying the state and local shares of interstate highway segments, and of interstate highway substitution projects when approved by the United States secretary of transportation, the governor, and the responsible regional councils and local government units.*

Sec. 32. Minnesota Statutes 1980, Section 297B.035, Subdivision 2, is amended to read:

Subd. 2. Motor vehicles which satisfy the definitions of subdivision 1, shall be taxed at a yearly rate of \$15 per set of dealer plates. This tax shall be paid when dealer plates are purchased and shall be deposited in the state treasury and credited (TO THE GENERAL FUND) *as provided in section 297B.09.* This tax shall be in lieu of any other state sales, excise, or use tax.

Sec. 33. Minnesota Statutes 1980, Section 297B.09, is amended to read:

297B.09 [ALLOCATION OF REVENUE.]

Subdivision 1. [GENERAL FUND SHARE.] All moneys collected and received (UNDER LAWS 1971, CHAPTER 853,) under this chapter shall be (ALLOCATED MONTHLY BY THE MOTOR VEHICLE REGISTRAR TO THE STATE COMMISSIONER OF REVENUE AND BY HIM SHALL BE PAID TO THE STATE TREASURER AND SHALL BE) deposited (AS PROVIDED IN SECTION 297A.44.) in the state treasury and credited as follows:

(a) All of the proceeds collected until June 30, 1983 shall be credited to the general fund;

(b) Three-fourths of the proceeds collected after June 30, 1983 and before July 1, 1984 shall be credited to the general fund;

(c) One-half of the proceeds collected after June 30, 1984 and before July 1, 1985 shall be credited to the general fund;

(d) One-fourth of the proceeds collected after June 30, 1985 and before July 1, 1986 shall be credited to the general fund;

(e) After June 30, 1986, none of the proceeds collected shall be credited to the general fund.

Subd. 2. [HIGHWAY USER TAX DISTRIBUTION FUND SHARE.] The proceeds collected under this chapter and not credited to the general fund shall be deposited in the highway user tax distribution fund for apportionment in the same manner and for the same purposes as other money in that fund.

Sec. 34. Minnesota Statutes 1980, Section 299D.03, Subdivision 5, is amended to read:

Subd. 5. [FINES AND FORFEITED BAIL MONEY.] (a) All fines and forfeited bail money, from traffic and motor vehicle law violations, collected from persons apprehended or arrested by such employees, shall be paid by the justice of the peace, or such other person or officer collecting such fines,

forfeited bail money or installments thereof, on or before the tenth day after the last day of the month in which such moneys were collected, to the county treasurer of the county where the violation occurred. Three-eighths of such receipts shall be credited to the general revenue fund of the county. The other five-eighths of such receipts shall be transmitted by that officer to the state treasurer and shall be credited to the trunk highway fund. If, however, the violation occurs within a municipality and the city attorney prosecutes the offense, and a plea of not guilty is entered, one-third of the receipts shall be credited to the general revenue fund of the county, one-third of the receipts shall be paid to the municipality prosecuting the offense, and one-third shall be transmitted to the state treasurer as provided in this subdivision. All costs of participation in a nation-wide police communication system chargeable to the state of Minnesota shall be paid from appropriations for that purpose.

(b) Notwithstanding any other provisions of law, all fines and forfeited bail money from violations of statutes governing the maximum weight of motor vehicles, collected from persons apprehended or arrested by employees of the state of Minnesota, by means of stationary or portable scales operated by such employees, shall be paid by the person or officer collecting the fines or forfeited bail money, on or before the tenth day after the last day of the month in which the collections were made, to the county treasurer of the county where the violation occurred. All such receipts shall be transmitted by that officer to the state treasurer and shall be credited to the trunk highway fund.

Sec. 35. Minnesota Statutes 1980, Section 473.408, Subdivision 6, is amended to read:

Subd. 6. [MONTHLY PASSES.] The commission (SHALL) may offer monthly passes for regular route bus service for sale to the general public. (THE PASSES SHALL BE OFFERED AT A DISCOUNT AT LEAST AS GREAT AS THE DISCOUNT PROVIDED ON PASSES SOLD BY THE COMMISSION IN JANUARY, 1979.)

Sec. 36. Minnesota Statutes 1980, Section 473.408, Subdivision 7, is amended to read:

Subd. 7. [EMPLOYEE PLAN.] The commission (SHALL) may offer monthly passes for regular route bus service for sale to employers at a special discount subject to the provisions of this subdivision. An employer (IS) may be eligible to purchase passes at a special discount if the employer agrees to establish a payroll deduction plan as a means for its employees to purchase the passes at a price at or below the amount charged by the commission. The special discount on passes sold pursuant to this subdivision shall be (TWO DOLLARS ON A SINGLE ZONE PASS AND A PROPORTIONATE AMOUNT ON

OTHER PASSES. THE SPECIAL DISCOUNT IS IN ADDITION TO THE DISCOUNT PROVIDED ON PASSES SOLD TO THE GENERAL PUBLIC) *determined by the commission.*

Sec. 37. Minnesota Statutes 1980, Section 473.411, Subdivision 1, is amended to read:

Subdivision 1. [DEVELOPMENT PROGRAM.] The commission shall prepare and submit in the manner provided in and satisfying the requirements of section 473.161, a (TRANSPORTATION) development program, providing for the implementation of the policy plan adopted by the council. In preparing the program, the commission shall consult with counties and municipalities in the metropolitan area, the state transportation department and the state planning agency, and for that purpose may create such advisory committees as may be necessary.

(SUCH) *The* program shall provide for coordination of routes and operations of all publicly and privately owned (TRANSPORTATION) *transit and paratransit* facilities within the transit area to the end that combined efficient and rapid (TRANSPORTATION) *transit and paratransit* may be provided for the use of the public in the entire area. The commission may designate a segment of the system planned as a pilot or demonstration (TRANSPORTATION) *transit or paratransit* project using, without limitation, new technology including airborne systems, or traditional systems of evolved or modern form. The (TRANSPORTATION) development program shall include the general alignment and profile, approximate points of access, facility classification, approximate cost, relation to other existing and planned (TRANSPORTATION) *transit and paratransit* routes and facilities, and a statement of the expected general effect on present and future use of the property within the corridor. The program shall be accompanied with a statement of need for the proposed construction or improvement, a description of alternate routes which were considered, and an explanation of the advantages and disadvantages in the selection of any route considered. The (TRANSPORTATION) *transit and paratransit* development program shall also contain a description of the type of right-of-way or routes required; the type of transit service to be provided in each portion of the system; designation of transit mode; and appropriate general operating criteria. The program shall also contain an operational improvement program which shall at least describe performance objectives and standards which the commission proposes to achieve in satisfying policies, purposes, and goals established by the legislature and the council; identify performance indicators by which to monitor and assess progress in achieving the objectives and standards; and establish a route deficit limit as provided in section 174.28, subdivision 5. The program may include such other information as the council or the commission deems necessary.

Sec. 38. Minnesota Statutes 1980, Section 473.446, is amended to read:

473.446 [TRANSIT TAX LEVIES.]

Subdivision 1. [(AMOUNT) TAXATION WITHIN TRANSIT TAXING DISTRICT.] For the purposes of sections 473.401 to 473.451 and the metropolitan transit system, *except as otherwise provided in this subdivision* the metropolitan transit commission shall levy each year upon all taxable property within the metropolitan transit taxing district, defined (HEREIN) *in subdivision 2*, a transit tax consisting of:

(a) An amount equal to 1.72 mills times the assessed value of all such property, the proceeds of which shall be used for payment of the expenses of operating (REGULAR ROUTE BUS) *transit and paratransit service*;

(b) An additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of its certificates of indebtedness and other obligations outstanding on July 1, 1977, to which property taxes under this section have been pledged; and

(c) An additional amount necessary to provide full and timely payment of certificates of indebtedness, bonds, or other obligations issued pursuant to section 473.436 for purposes of acquisition and betterment of property and other improvements of a capital nature and to which the commission has specifically pledged tax levies under this clause.

In any statutory or home rule charter city or town in the metropolitan transit taxing district which is receiving financial assistance under section 28, the commission shall levy a tax equal to ten percent of the sum of levies provided for in clauses (a) to (c), plus a levy sufficient to yield the amounts of available local transit funds transferred pursuant to section 28 from the state assistance available to the commission, less any amount paid to the commission by the city or town under a contract for service entered into pursuant to subdivision 2 of this section.

Subd. 1a. [TAXATION WITHIN TRANSIT AREA.] For the purposes of sections 473.401 to 473.451, and the metropolitan transit system, the metropolitan transit commission shall levy upon all taxable property within the metropolitan transit area but outside of the metropolitan transit taxing district, defined (HEREIN) *in subdivision 2*, a transit tax, which shall be equal to ten percent of the sum of the levies provided in subdivision 1, clauses (a) to (c). *The proceeds of this tax shall be used only for paratransit services or ride sharing programs designed to serve persons located within the transit area but outside of the transit taxing district.*

Subd. 2. [TRANSIT TAXING DISTRICT.] The metropolitan transit taxing district is hereby designated as that portion of the metropolitan transit area lying within the following named

cities, towns, or unorganized territory within the counties indicated:

(a) Anoka county. Anoka, Blaine, Centerville, Columbia Heights, Coon Rapids, Fridley, Circle Pines, Hilltop, Lexington, Lino Lakes, Spring Lake Park;

(b) Carver county. Chanhassen, the city of Chaska, Victoria;

(c) Dakota county. Apple Valley, Burnsville, Eagan, Inver Grove Heights, Lillydale, Mendota, Mendota Heights, Rosemount, South St. Paul, Sunfish Lake, West St. Paul;

(d) Ramsey county. All of the territory within Ramsey county;

(e) Hennepin county. Bloomington, Brooklyn Center, Brooklyn Park, Chaplin, Chanhassen, Crystal, Deephaven, Eden Prairie, Edina, Excelsior, Golden Valley, Greenwood, Hopkins, Long Lake, Maple Grove, Medicine Lake, Minneapolis, Minnetonka, Minnetonka Beach, Mound, New Hope, Orono, Osseo, Plymouth, Richfield, Robbinsdale, St. Anthony, St. Louis Park, Shorewood, Spring Park, Tonka Bay, Wayzata, Woodland, the unorganized territory of Hennepin county;

(f) Scott county. Prior Lake, Savage, Shakopee;

(g) Washington county. Baytown, the city of Stillwater, White Bear Lake, Bayport, Birchwood, Cottage Grove, Dellwood, Lake Elmo, Landfall, Mahtomedi, Newport, Oakdale, Oak Park Heights, Pine Springs, St. Paul Park, Willernie, Woodbury.

The commission in its sole discretion may provide transit service by contract beyond the boundaries of the metropolitan transit taxing district *or to cities and towns within the taxing district which are receiving financial assistance under section 28*, upon petition therefor by an interested city, township or political subdivision within the metropolitan transit area. The commission may establish such terms and conditions as it deems necessary and advisable for providing the transit service, including such combination of fares and direct payments by the petitioner as will compensate the commission for the full capital and operating cost of the service and the related administrative activities of the commission. The amount of the levy made by any municipality to pay for the service shall be disregarded when calculation of levies subject to limitations is made, *provided that cities and towns receiving financial assistance under section 28 shall not make a special levy under this subdivision without having first exhausted the available local transit funds as defined in section 28*. The commission shall not be obligated to extend service beyond the boundaries of the taxing district, *or to cities and towns within the taxing district which are receiving*

financial assistance under section 28, under any law or contract unless or until payment therefor is received.

Subd. 2a. [PROTECTION OF RIGHTS OF HOLDERS OF OUTSTANDING INDEBTEDNESS.] The provisions of (SUBDIVISION) *subdivisions 1 and 2* or any other law changing the boundaries of the metropolitan transit taxing district or *reducing the levy otherwise required to be levied within the district* shall not be deemed to impair the rights of holders of outstanding indebtedness of the commission to require the levy of property taxes, if necessary to provide for any deficiency in accordance with the conditions of such indebtedness, on all property within the limits of the metropolitan transit taxing district as such limits were in effect at the date of issuance of such indebtedness.

Subd. 3. [CERTIFICATION AND COLLECTION.] On or before October 10 in each year the commission shall certify the total amount of the tax levied pursuant to subdivision 1 to the auditor of each metropolitan county. Each county auditor shall then assess and extend upon the tax rolls in his county that proportion of the tax which the assessed value of taxable property in his county bears to the assessed value of all taxable property in the metropolitan area. Each county treasurer shall collect and make settlement of such taxes with the treasurer of the commission. The levy of transit taxes pursuant to this section shall not affect the amount or rate of taxes which may be levied by any county or municipality or by the commission for other purposes authorized by law and shall be in addition to any other property tax authorized by law.

Sec. 39. [APPLICATION.]

Sections 35 to 38 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.

Sec. 40. [TRANSPORTATION FUND APPROPRIATIONS.]

\$98,000,000 is appropriated from the state transportation fund to the commissioner of transportation to acquire and better public land, buildings, and capital improvements in accordance with Minnesota Statutes, Section 174.50 and rules promulgated thereunder, to be expended in the following amounts for the following purposes, respectively:

(a) *Design, construction, and reconstruction of key bridges and bridge approaches on routes of trunk and interstate highways—\$56,200,000;*

(b) *Payment of the state's share of the cost of completion of segments of the interstate highway system in cooperation*

with the United States secretary of transportation, and; payment of state and local shares of transit and highway projects for service of urbanized areas and connecting corridors in un-urbanized areas, approved by the United States secretary of transportation, the governor, and responsible regional councils and local government units, in substitution for interstate routes withdrawn from the areas—\$41,800,000.

Sec. 41. [AUTHORIZATION OF BONDS.]

To provide the money appropriated in this act from the state transportation fund the commissioner of finance upon request of the governor shall sell and issue bonds of the state in an amount up to \$98,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, Section 174.51, and by the constitution, article XI, sections 4 to 7. The proceeds of the bonds, except premium and accrued interest, are appropriated to and shall be deposited in the Minnesota state transportation fund for expenditure for the acquisition and betterment of public land, buildings, and capital improvements in accordance with section 31 and Minnesota Statutes, Section 174.50.

Sec. 42. [APPROPRIATION.]

Subdivision 1. [PUBLIC TRANSIT.] The sum of \$53,986,000 is appropriated from the general fund to the commissioner of transportation. Of this appropriation, \$23,170,600 shall be available for expenditure the first year and \$30,815,400 for expenditure the second year of the biennium. The appropriation shall be available for the purpose of providing the following:

- (a) metropolitan transit commission operating grants;*
- (b) metropolitan transit commission social fares;*
- (c) metropolitan transit commission project mobility;*
- (d) metro mobility projects;*
- (e) metro mobility control center;*
- (f) private operators—metropolitan area;*
- (g) non-metropolitan transit commission operating assistance statewide;*
- (h) public transit capital grants.*

The metropolitan transit commission shall not raise its base fare more than ten cents over the level existing on January 1,

1981. Effective July 1, 1981, the commission shall eliminate zone charges.

The commission may request additional funding from the fuel and utilities contingent account in order to offset unanticipated fuel cost increases.

Up to \$10,000 each year is for an evaluation of transit systems receiving financial and technical assistance under sections 174.24 and 174.25, and for assistance to the legislature in evaluating alternative methods of allocating state subsidy funds. The evaluation studies shall be designed and carried out in consultation with the members and staff of the local and urban affairs committee of the house of representatives and the transportation committee of the senate. The study shall be completed by December 1, 1982.

Subd. 2. [RIDE SHARING.] The sum of \$75,000 for the first year and \$50,000 for the second year of the biennium are appropriated from the trunk highway fund to the commissioner of transportation to continue operation of the rideshare program implemented pursuant to section 174.257. The commissioner shall complete programs development and transfer responsibility for local program planning and operation activity to private operators or local authorities, or any combination of them, by June 30, 1983, when the state participation in the program shall cease. A status report shall be presented to the legislature by January 15, 1982. The rideshare program shall be administered so as to ensure maximum use of available federal aid.

Subd. 3. [BALANCES.] Any encumbered balance remaining in the first year shall not cancel but be available for the second year of the biennium.

Sec. 43. Laws 1969, Chapter 192, Section 1, is amended to read:

Section. 1. [MOORHEAD, CITY OF; BUS SERVICE.] The governing body of the city of Moorhead (MAY CONTRACT WITH THE OWNERS OR OPERATORS OF A BUS TRANSPORTATION SERVICE UPON SUCH TERMS AND CONDITIONS AS MAY BE AGREED UPON BETWEEN THEM FOR PUBLIC TRANSPORTATION SERVICE) is authorized to provide and assist public transportation services through acquisition, construction or operation, directly or by lease or contract, within the (CITY) Moorhead-Fargo urbanized area. The city's annual obligation, if any, under such contract shall not exceed the amount produced by applying (ONE MILL) two mills to the dollar value of all taxable property within the city. The limitation imposed under this section is expressed as an amount determined after the enactment of Minnesota Statutes, Sections 273.1101 to 273.1103. The levy permitted by this section shall be disregarded

in the calculation of any other levies or limitations on levies permitted or provided by other law or charter.

Sec. 44. [REPEALER.]

Minnesota Statutes 1980, Sections 168.013, Subdivision 17; 174.28; and 174.31, Subdivisions 6 and 7, are repealed.

Sec. 45. [EFFECTIVE DATE.]

Sections 1 to 13 and 18, and the repeal of Minnesota Statutes 1980, Section 168.013, Subdivision 17, are effective November 15, 1981, for the year 1982 and subsequent years, provided that for vehicles registered under the monthly system on November 15, 1981, the increases provided in section 3 are effective on the date of the first renewal application. Sections 15, 17, 19, 20, 21, 23, 24, 25 to 26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39, 42 and 44 are effective July 1, 1981. Sections 14, 31, 40 and 41 are effective the day following final enactment. Section 22 is effective January 1, 1983. Section 43 is effective the day after the filing of a certificate of local approval by the governing body of the city of Moorhead in compliance with Minnesota Statutes, Section 645.021, Subdivision 3."

Delete the title and insert

"A bill for an act relating to transportation; providing for the financing of certain services of the department of transportation; adjusting the motor vehicle registration tax on certain vehicles; increasing the fee for personalized license plates; increasing fees for motorized bicycle operator permits and for driver licenses; establishing a fee for the Minnesota identification card; providing for uniform application fees; requiring reexamination before issuance of new drivers license after revocation; authorizing married applicants to use their maiden name as their middle name; increasing bicycle registration fees; providing that the proceeds of the motor vehicle excise tax be allocated between the general fund and the highway user tax distribution fund for a period of four years, and thereafter all the proceeds to be deposited in the highway user tax distribution fund; authorizing the issuance of state bonds and appropriating the proceeds for the purpose of providing money to acquire and better public land, buildings, and capital improvements comprising key bridges, segments of interstate highway, and interstate highway substitution projects needs for an integrated state transportation system; providing for financial assistance for local transit service; providing for the coordination and financing of metropolitan transit service demonstration program; establishing a metropolitan transit service demonstration program; providing for alternative uses of metropolitan transit tax levies; authorizing the city of Moorhead to increase its mill rate for public transportation services; appropriating money;

amending Minnesota Statutes 1980, Sections 168.011, Subdivisions 7 and 10; 168.013, Subdivisions 1a, 1b, 1c, 1d, 1e, 1f, 1g, 1h and by adding a subdivision; 168.12, Subdivisions 2 and 2a; 168.16; 168.27, Subdivision 16; 168C.11, Subdivision 1; 169.79; 171.02, Subdivision 3; 171.06, Subdivisions 1, 2, 4 and by adding a subdivision; 171.07, Subdivisions 1 and 3; 171.29; 174.24, Subdivision 3, and by adding a subdivision; 174.31; 174.50, Subdivision 1; 297B.035, Subdivision 2; 297B.09; 299D.03, Subdivision 5; 473.408, Subdivisions 6 and 7; 473.411, Subdivision 1; 473.446; Laws 1969, Chapter 192, Section 1; proposing new law coded in Minnesota Statutes, Chapters 168 and 174; repealing Minnesota Statutes 1980, Sections 168.013, Subdivision 17; 174.28; and 174.31, Subdivisions 6 and 7."

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. 766, A bill for an act relating to the University of Minnesota hospitals; authorizing the sale of state bonds and loan of the proceeds of the sale to the board of regents of the University of Minnesota; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [UNIVERSITY HOSPITALS BONDS.]

Subdivision 1. [PURPOSE AND APPROPRIATION.] The commissioner of finance shall sell and issue bonds of the state of Minnesota in an aggregate principal amount not to exceed \$190,000,000 for the prompt and full payment of which, with interest, the full faith, credit, and taxing powers of the state are irrevocably pledged, for the purpose of providing money to be loaned to the board of regents of the University of Minnesota to acquire and better public land, buildings, and improvements of a capital nature needed to provide facilities, equipment, and services at the University of Minnesota hospitals, including principal and interest during construction. The proceeds of the bonds are appropriated to the commissioner of finance to be loaned to the board of regents except as otherwise provided by subdivisions 3 and 6. This appropriation is not subject to the limitations in Minnesota Statutes, Section 137.025, Subdivision 2. The proceeds of the bonds shall be available until the purposes for which the bonds were authorized have been accomplished or abandoned, and the appropriation of the money shall not cancel. When the board of regents certifies to the commissioner of finance that the purposes of the bonds have been accomplished or abandoned, any unexpended balance of the proceeds shall be transferred and credited to the state bond fund. The bonds shall

not be subject to restrictions or limitations contained in any other law.

Subd. 2. [ISSUANCE OF BONDS.] Upon request by resolution of the board of regents, after execution of a loan agreement as provided by subdivision 4, and after making the determinations as provided in subdivision 8, the commissioner of finance shall sell and issue bonds in the aggregate amount requested. The commissioner shall have the powers and duties and the bonds shall be issued and sold in the manner provided for the issuance and sale of state building bonds by Minnesota Statutes, Section 16A.64, Subdivisions 2 and 3. The provisions of Minnesota Statutes, Section 16A.65, Subdivision 4, shall not apply to the bonds. The commissioner may issue state refunding bonds as provided in Minnesota Statutes, Section 16A.66, without the approval of the executive council, in order to refund any or all of the bonds.

Subd. 3. [EXPENSES.] All costs and expenses, as provided for in Minnesota Statutes, section 16A.64, Subdivision 4, incurred by the commissioner of finance in connection with the sale and issuance of the bonds shall be paid from the proceeds of the bonds and the amounts necessary therefore are appropriated to the commissioner of finance from the University of Minnesota hospitals bond account. Any proceeds expended by the commissioner for costs and expenses are deemed to be loaned to the board of regents to be repaid as provided by subdivision 4 and the loan agreement.

Subd. 4. [LOAN TERMS.] Before issuing any bonds under this section, the commissioner of finance shall obtain the written agreement of the board of regents to use the proceeds of the bonds for the purposes described in subdivision 1 and to repay the loan of the proceeds of the bonds with interest according to the terms of the agreement. This agreement shall also provide that beginning one year after completion of the new facility the operating bed capacity of university hospitals shall be adjusted periodically, at least once each biennium, to comply with appropriate and relevant occupancy guidelines as set by the local health systems agency. The guidelines shall include, at a minimum, occupancy guidelines for general adult medical surgical beds, general pediatric beds, general obstetrical beds, and general psychiatric beds. Before the transfer of the proceeds as a loan to the board of regents, the commissioner shall deduct and withhold from the loan an amount sufficient, when added to the balance on hand in the University of Minnesota hospitals bond account, to pay all principal and interest due and to become due on the bonds through July 1 of the second ensuing year. Payments of principal and interest on the loan shall be made on or before each November 1 in an amount sufficient, when added to the balance on hand in the University of Minnesota hospitals bond account, to pay all principal and interest due and to become due on the bonds through July 1 of the second ensuing year. The board of

regents shall be obligated to repay principal and interest under the loan agreement from the proceeds of the bonds or from the operating and nonoperating revenues of the university, excluding restricted gifts and university debt service obligations existing on the effective date of the loan agreement, but including appropriated funds of the University of Minnesota as provided by the loan agreement. If in any year the installment paid is less than the installment due, the deficiency shall be payable with interest based on the average daily rate of investment return on invested treasurer's cash for the period in question. If in any year there is a deficiency in a payment due, the board of regents shall consult with the commissioner of finance and shall take appropriate executive action to eliminate the deficiency and to assure prompt payment of future installments due. When the total amount paid by the board of regents equals the total amount of the principal of an interest on the bonds, including any refunding bonds and interest on deficiency, the loan shall be satisfied and cancelled.

If in any year university hospitals revenues are insufficient to make the required installment payment the university shall report on the amount and source of non-hospital funds used to make the payment. This report shall be submitted to the commissioner of finance and to the chairman of the house appropriations and senate finance committees.

Subd. 5. [UNIVERSITY OF MINNESOTA HOSPITALS BOND ACCOUNT.] *The commissioner of finance shall maintain in the state bond fund a separate bookkeeping account designated as the University of Minnesota hospitals bond account to record receipts and disbursements of money transferred to the fund to pay University of Minnesota hospitals bonds and income from the investment of the money in the account. Investment income shall be accrued and credited to the account on October 31 in each fiscal year.*

Subd. 6. [APPROPRIATIONS TO THE UNIVERSITY OF MINNESOTA HOSPITALS BOND ACCOUNT.] *The premium and accrued interest received on each issue of University of Minnesota hospital bonds, any amounts deducted and withheld pursuant to the provisions of subdivision 4, all loan payments received from the board of regents, and all income from the investment of the proceeds from the issuance of the bonds before the proceeds are loaned to the university shall be credited to the University of Minnesota hospitals bond account and are appropriated to the commissioner of finance for the payment of principal and interest on the bonds. To reduce the amount of taxes otherwise required to be levied, the commissioner of finance shall transfer funds to the University of Minnesota hospitals bond account sums of money in the manner and amounts provided by Minnesota Statutes, Section 16A.64, Subdivision 5 and 16A.65, Subdivision 1.*

Subd. 7. [TAX LEVY.] The state auditor shall levy any necessary property taxes in the manner and amounts provided by Minnesota Statutes, Section 16A.64, Subdivision 6.

Subd. 8. [COMMISSIONER OF FINANCE; DETERMINATIONS.] The commissioner of finance shall also make the following determinations before issuing any bonds:

(1) The proceeds of bonds provided for in this section will be sufficient together with other capital funds that may be available to the university to construct and to furnish the new facilities proposed by the university including appropriate professional fees and charges.

(2) The board of regents has executed agreements with appropriate labor organizations and construction contractors which provide that no labor strike or management lockout will halt, delay or impede construction.

(3) The board of regents has executed agreements which will provide for the construction of the new facilities for a certified construction price and completion dates and which include performance bonds in an amount at least equal to 100 percent of the certified price to cover any costs which may be incurred by the university or loss of revenues resulting from incomplete construction on the completion date.

(4) The anticipated revenue from the operation of the hospital facilities plus any additional available revenue of the university will be an amount sufficient to pay when due all debt service plus all administration, operating and maintenance expense.

Sec. 2. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

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. 1005, A bill for an act relating to housing; authorizing the housing finance agency to use temporary rulemaking to define certain terms; providing for a revolving account; permitting certain loans; limiting the dollar amount of certain

loans; providing for the allocation of mortgage subsidy bonds; appropriating money; amending Minnesota Statutes 1980, Sections 462A.03, Subdivision 10; 462A.04, Subdivision 8; 462A.05, Subdivision 17, and by adding subdivisions; 462A.07, by adding a subdivision; 462A.20, Subdivision 3; 462A.21, Subdivision 8, and by adding a subdivision; 462A.22, Subdivision 9; 462C.03, by adding a subdivision; and proposing new law coded in Minnesota Statutes, Chapter 462C; repealing Minnesota Statutes 1980, Section 462A.21, Subdivision 11.

Reported the same back with the following amendments:

Page 1, after line 18, insert:

"Section 1. Minnesota Statutes 1980, Section 422A.05, is amended by adding a subdivision to read:

Subd. 7. The board may invest funds with the Minneapolis-St. Paul family housing fund or any successor to its functions for the purpose of allowing the Minneapolis-St. Paul family housing fund or any successor to its functions to make loans to purchasers of dwelling units which the purchaser intends to occupy as the purchaser's place of residence. The investment shall be evidenced by a loan agreement which shall provide the terms and conditions for repayment of the investment."

Page 4, after line 5, insert:

"Sec. 6. Minnesota Statutes 1980, Section 462A.05, Subdivision 19, is amended to read:

Subd. 19. It may make no interest loans of up to \$4,000 to persons and families of low and moderate income who are veterans or veterans' dependents to assist in making down payments to enable them to purchase new or existing housing to be used as their principal place of residence. To be eligible, the veterans or veteran's dependent must be a first time home owner, and must enter into an agreement with the agency, with appropriate security as determined by the agency, to repay the loan amount in full when the property is sold, transferred, or otherwise conveyed, or ceases to be the recipient's principal place of residence. For the purpose of this subdivision, "veteran" means a person residing in Minnesota who has been separated under honorable conditions from any branch of the armed forces of the United States after having served on active duty for 181 consecutive days or by reason of disability incurred while serving on active duty, (AND WHO IS A CITIZEN OF THE UNITED STATES,) and who served at any time during the period from August 5, 1964 to May 7, 1975; and "veteran's dependent" means

a person residing in Minnesota who is the unmarried surviving spouse of a veteran."

Page 5, line 3, after "that" insert "(1)"

Page 5, line 5, after "grants" insert "and (2) moneys appropriated for the purpose of section 462A.21, subdivisions 4a, 4f and 4g may only be transferred for the purpose of section 11."

Page 5, line 27, delete "3" and insert "4"

Page 6, line 12, delete "two" and insert "20"

Page 6, line 17, delete "subdivisions 2 and 4" and insert "subdivision 2"

Page 6, after line 17, insert:

"Sec. 14. Minnesota Statutes 1980, Section 462C.05, Subdivision 3, is amended to read:

Subd. 3. A development may be located within a redevelopment project area established pursuant to chapter 462 or within a development district established pursuant to chapter 472A or within an industrial development district established pursuant to section 458.191 without regard to the limitations and conditions set forth in section 462C.03, subdivisions 1 to 9, and in section 462C.05, subdivision 2, except that in no case shall the maximum purchase price or appraised value for a dwelling unit in the multi-family housing development exceed four times the income limit established by section 462C.03, subdivision 2 unless the development is in a building officially built before 1900, designated as an historical structure under state, local or national procedures.

Sec. 15. Minnesota Statutes 1980, Section 462C.08, is amended to read:

462C.08 [OTHER HOUSING LEGISLATION.]

Sections 462C.01 to 462C.07 do not impair or otherwise affect the validity or provisions for the security of any obligations issued or agreements made pursuant to law before June 2, 1979. Sections 462C.01 to 462C.07 do not preclude or affect or limit the institution or financing or character of a housing program, project or development permitted for any city by any special law in effect on June 2, 1979, except that: (a) section 462C.03 is applicable to any program undertaken pursuant to a special law adopted after January 1, 1979, (b) no such city or agency thereof may issue obligations after January 1, 1980, for the purpose of financing a housing program or development of any kind re-

ferred to in sections 462C.01 to 462C.05, unless its plan therefor has previously been reviewed by the appropriate reviewing body and its program has been reviewed and approved by the agency; and all such obligations issued by such cities after January 1, 1980, shall be subject to the limitations set forth in sections 462C.01 to 462C.07. *The limitation of section 462C.07, subdivision 2, shall not apply, however, to any facilities or obligations therefor that qualify for the exceptions granted by section 1104 (b) of the Mortgage Subsidy Bond Tax Act of 1980 (P. L. 96-499) and to any facilities or obligations therefor that qualify for exemption pursuant to section 1103 thereof.*"

Page 6, line 36, delete "section 11" and insert "sections 13 and 14"

Page 7, line 8, delete "\$22,255,000" and insert "\$21,587,300"

Page 7, line 13, delete "8" and insert "10"

Page 7, after line 14, insert:

"The authority granted to the agency by section 9 to transfer moneys among appropriated accounts shall not apply to the appropriation in this paragraph (a)."

Page 7, line 19, delete "\$15,075,000" and insert "\$14,511,700"

Page 7, line 25, delete "\$3,480,000" and insert "\$3,375,600"

Page 7, line 27, delete "14" and insert "18"

Re-number the sections accordingly

Amend the title as follows:

Page 1, line 2, after the semicolon insert "authorizing the board of the Minneapolis municipal employees retirement fund to invest funds with the Minneapolis-St. Paul family housing fund;"

Page 1, line 6, after the semicolon, insert "limiting the maximum purchase price or appraised value of certain dwelling units financed with local bond proceeds;"

Page 1, line 8, after "Sections" insert "422A.05, by adding a subdivision;"

Page 1, line 9, delete "Subdivision 17" and insert "Subdivisions 17 and 19"

Page 1, line 13, after the second semicolon, insert "462C.05, Subdivision 3; 462C.08;"

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. 1086, A bill for an act relating to the environment; clarifying terms, procedures, powers, and duties in the waste management act and for counties and metropolitan waste management; extending time limits for site selections and reports; providing that certain appropriations shall remain available until expended; amending Minnesota Statutes 1980, Sections 115A.03, Subdivisions 15 and 29; 115A.05, Subdivision 3; 115A.06, Subdivision 4, and by adding a subdivision; 115A.08, Subdivisions 4, 5 and 6; 115A.09; 115A.11, Subdivision 1; 115A.19; 115A.20; 115A.21, Subdivisions 1 and 2; 115A.22, Subdivisions 3 and 4; 115A.23; 115A.24; 115A.26; 115A.28, Subdivision 2; 115A.33; 115A.34; 115A.37, Subdivision 2; 115A.54, Subdivision 3; 116.07, Subdivisions 2 and 4; 116.41, Subdivision 2; 400.161; 473.149, Subdivisions 2b, 2c, 2e, and by adding a subdivision; 473.153, Subdivisions 1, 2 and 6; 473.516, Subdivision 4; 473.801, by adding a subdivision; 473.803, Subdivision 1a; 473.811, Subdivisions 2, 3, 4, 5b, 8, and by adding subdivisions; 473.831, Subdivision 1; 473.833, Subdivision 2, and by adding a subdivision; and 473.834, Subdivision 2; repealing Minnesota Statutes 1980, Section 473.834, Subdivisions 4 and 5.

Reported the same back with the following amendments:

Page 4, after line 15, insert:

"Sec. 5. Minnesota Statutes 1980, Section 115A.06, Subdivision 5, is amended to read:

Subd. 5. [RIGHT OF ACCESS.] Whenever the board or the chairperson acting on behalf of the board deems it necessary to the accomplishment of its purposes, the board or any member, employee, or agent thereof, when authorized by it or the chairperson, may enter upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations, provided that the entrance and activity is undertaken after reasonable notice and during normal business hours and provided that compensation is made for any damages to the property caused by the entrance and activity. *The board may pay a reasonable estimate of the damages it believes will be caused by the entrance and activity before entering any property.*"

Page 15, line 4, before "By" insert:

"Subdivision 1. [CERTIFICATE.] *Except as provided in subdivision 2,*"

Page 16, after line 1, insert:

"Subd. 2. [CONDITION.] No certificate or certificates of need for disposal facilities for hazardous waste shall be issued by the board pursuant to subdivision 1 unless legislation is enacted to:

(a) Define the liability of owners and operators of disposal facilities and generators and other persons responsible for the disposal of hazardous waste;

(b) Provide the appropriate units of state or local government with the capability to clean up disposal sites or take other action to mitigate an imminent or substantial danger to public health or welfare or the environment from the disposal of hazardous waste; and

(c) Provide for the payment of the state's share of costs incurred pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, Public Law 96-510, as amended, as required by that act as a match to federal moneys."

Page 39, delete Section 47

Page 41, line 2, delete "29" and insert "30"

Page 41, line 2, delete "50" and insert "49"

ReNUMBER the sections in sequence

Amend the title as follows:

Page 1, line 10, delete "Subdivision 4," and insert "Subdivisions 4 and 5,"

Page 1, line 23, delete "Subdivision 2, and"

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. 1098, A bill for an act relating to the state auditor; providing funding to be used to prepare the report to the legislature on the general financial condition of the various volunteer firefighters' relief associations; appropriating money.

Reported the same back with the following amendments:

Page 1, line 9, delete "\$20,000" and insert "\$7,000"

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. 1139, A bill for an act relating to courts; providing for certain reorganization in the court system in the state; providing that the second and fourth judicial district courts shall also be probate courts; abolishing certain county court judgeships; creating certain judicial positions; raising the jurisdictional limit in county and county municipal court; providing the county and county municipal court with gross misdemeanor jurisdiction; abolishing the office of referee; providing for continuance of certain referee positions for a limited time; providing for continuance of certain judicial officer positions for a limited time; appropriating money; amending Minnesota Statutes 1980, Sections 2.722, Subdivision 1, and by adding a subdivision; 260.031, Subdivision 1; 484.70, Subdivision 1, and by adding subdivisions; 487.03, by adding a subdivision; 487.08, Subdivisions 2 and 3; 487.15; 487.16; 487.18; 488A.01, Subdivisions 4, 6 and 8; 488A.18, Subdivisions 4, 7, 9 and 13; 488A.27, Subdivision 11; 525.10; repealing Minnesota Statutes 1980, Sections 487.67; 484.70, Subdivisions 2, 3, 4 and 5; 487.08, Subdivision 4; 487.09; 489.05; 525.04; and Laws 1978, Chapter 750, Section 6.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 2.722, Subdivision 1, is amended to read:

Subdivision 1. [DESCRIPTION.] Effective July 1, 1959, the state is divided into ten judicial districts composed of the following named counties, respectively, in each of which districts two or more judges shall be chosen as hereinafter specified

(1) Goodhue, Dakota, Carver, LeSueur, McLeod, Scott, and Sibley; (FIVE) seven judges; and four permanent chambers shall be maintained in Red Wing, Hastings, Shakopee, and Glencoe and one other shall be maintained at the place designated by the chief judge of the district;

(2) Ramsey; (12) 13 judges;

(3) Wabasha, Winona, Houston, Rice, Olmsted, Dodge, Steele, Waseca, Freeborn, Mower, and Fillmore; six judges; and permanent chambers shall be maintained in Faribault, Albert Lea, Austin, Rochester, and Winona;

(4) Hennepin; (19) 24 judges;

(5) Blue Earth, Watonwan, Lyon, Redwood, Brown, Nicollet, Lincoln, Cottonwood, Murray, Nobles, Pipestone, Rock, Faribault, Martin, and Jackson; five judges; and permanent chambers shall be maintained in Marshall, Windom, Fairmont, New Ulm, and Mankato;

(6) Carlton, St. Louis, Lake, and Cook; six judges;

(7) Benton, Douglas, Mille Lacs, Morrison, Otter Tail, Stearns, Todd, Clay, Becker, and Wadena; four judges; and permanent chambers shall be maintained in Moorhead, Fergus Falls, Little Falls, and St. Cloud;

(8) Chippewa, Kandiyohi, Lac qui Parle, Meeker, Renville, Swift, Yellow Medicine, Big Stone, Grant, Pope, Stevens, Traverse, and Wilkin; three judges; and permanent chambers shall be maintained in Morris, Montevideo, and Willmar;

(9) Norman, Polk, Marshall, Kittson, Red Lake, Roseau, Mahnomen, Pennington, Aitkin, Itasca, Crow Wing, Hubbard, Beltrami, Lake of the Woods, Clearwater, Cass and Koochiching; six judges; and permanent chambers shall be maintained in Crookston, Thief River Falls, Bemidji, Brainerd, Grand Rapids, and International Falls;

(10) Anoka, Isanti, Wright, Sherburne, Kanabec, Pine, Chisago, and Washington; (SIX) ten judges; and permanent chambers shall be maintained in Anoka, Stillwater, and (SUCH) other places (AS MAY BE) designated by the chief judge of the district.

Sec. 2. Minnesota Statutes 1980, Section 2.722, is amended by adding a subdivision to read:

Subd. 3. [HENNEPIN AND RAMSEY PROBATE JUDGES; COURTS.] The probate judges of Ramsey and Hennepin probate courts in office on August 1, 1981 shall be district court judges of the second and fourth judicial districts, respectively, and shall continue in office for the balance of the term for which they were elected and shall be eligible for reelection. The offices of probate court of Hennepin and Ramsey counties, and all of their jurisdiction, records, powers, duties, functions, and personnel, are hereby transferred to the district courts of the second and fourth judicial districts respectively and made divisions

of them. The chief judge of the fourth judicial district shall at all times assign at least two judges to the probate court duties.

Sec. 3. Minnesota Statutes 1980, Section 260.031, Subdivision 1, is amended to read:

Subdivision 1. The (JUDGE OF THE JUVENILE COURT MAY APPOINT ONE OR MORE SUITABLE PERSONS TO ACT AS REFEREES) *office of referee is abolished. No vacancy in the office of referee shall be filled, nor new office created. Persons holding the office of referee on January 1, 1981, in the second and in the fourth judicial districts may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointment. All referees are subject to the administrative authority and assignment power of the chief judge of the district as provided in section 484.69, subdivision 3, and are not limited to assignment to juvenile court. (THESE) Referees shall be qualified for their duties by their previous training and experience and (SHALL) hold office at the pleasure of the judge. The compensation of a referee shall be fixed by the judge (AND), approved by the county board and (SHALL BE) payable from the general revenue funds of the county not otherwise appropriated.*

Sec. 4. [484.011] [JURISDICTION IN SECOND AND FOURTH JUDICIAL DISTRICTS.]

In the second and fourth judicial districts the district court shall also be a probate court.

Sec. 5. Minnesota Statutes 1980, Section 484.66, Subdivision 1, is amended to read:

Subdivision 1. In the county of Hennepin, the district administrator shall assume the statutory duties of the clerk of district court *and probate court.*

Sec. 6. Minnesota Statutes 1980, Section 484.70, Subdivision 1, is amended to read:

Subdivision 1. *The office of referee is abolished. No vacancy in the office of referee, including family, juvenile, probate, and special term referees, shall be filled, nor new office created. Persons holding the office of referee (FULL TIME) on (JUNE 30, 1977) January 1, 1981, in the second (,) and fourth (AND SIXTH) judicial districts may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointment. All referees are subject to the administrative authority and assignment power of the chief judge of the district as provided in section 484.69, subdivision 3, and are not limited to assignment to family (OR), probate, juvenile or special term court.*

Sec. 7. Minnesota Statutes 1980, Section 484.70, is amended by adding a subdivision to read:

Subd. 6. No referee may hear a contested trial, hearing, motion or petition if a party or attorney for a party objects in writing to the assignment of a referee to hear the matter. The court shall by rule, specify the time within which an objection must be filed.

Sec. 8. Minnesota Statutes 1980, Section 484.70, is amended by adding a subdivision to read:

Subd. 7. (a) Referees shall:

(1) Hear and report all matters assigned by the chief judge; and

(2) Recommend findings of fact, conclusions of law, temporary and interim orders, and final orders for judgment.

(b) All recommended orders and findings of a referee shall be subject to confirmation by a judge. Review of any recommended order or finding of a referee by a judge may be by notice served and filed within ten days of effective notice of the recommended order or finding. The notice of review shall specify the grounds for review and the specific provisions of the recommended findings or orders disputed, and the court, upon receipt of a notice of review, shall set a time and place for a review hearing.

(c) Upon the conclusion of the hearing in each case, the referee shall transmit to a judge the court file together with recommended findings and orders in writing. The recommended findings and orders of a referee become the findings and orders of the court when confirmed by a judge. The order of the court shall be proof of such confirmation, and also of the fact that the matter was duly referred to the referees.

Sec. 9. Minnesota Statutes 1980, Section 487.08, Subdivision 2, is amended to read:

Subd. 2. Persons holding the office of judicial officer full time or part time on January 1, (1978) 1981, in St. Louis county (AND FULL TIME ON JANUARY 1, 1978), (IN) Steele county and Carlton county may continue to serve at the pleasure of the chief Judge of the district under the terms and conditions of their appointment. (ONE FULL TIME JUDICIAL OFFICER MAY BE APPOINTED IN CARLTON COUNTY.)

Sec. 10. Minnesota Statutes 1980, Section 487.08, Subdivision 3, is amended to read:

Subd. 3. The persons holding the office of judicial officer in Nobles and Rock, Brown, Nicollet, Morrison, Goodhue (,) and Wabasha, Scott, and Polk counties on January 1, 1978, may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointments.

Sec. 11. Minnesota Statutes 1980, Section 487.15, is amended to read:

487.15 [CIVIL JURISDICTION.]

The county court may hear, try, and determine actions at law in which the amount in controversy does not exceed (THE SUM OF \$5,000) \$15,000, exclusive of interest and costs, except for causes involving title to real estate.

Sec. 12. Minnesota Statutes 1980, Section 487.16, is amended to read:

487.16 [MINOR CIVIL AND CRIMINAL JURISDICTION.]

The county court shall also have jurisdiction in all civil and criminal cases residing, on the effective date of Laws 1971, Chapter 951 and Laws 1973, Chapter 679, in municipal courts other than municipal courts in Hennepin and Ramsey Counties (, EXCEPT THAT NOTWITHSTANDING ANY LAW TO THE CONTRARY, NO COUNTY COURT SHALL HAVE GROSS MISDEMEANOR JURISDICTION). *The county court shall have gross misdemeanor jurisdiction.*

Sec. 13. Minnesota Statutes 1980, Section 487.18, is amended to read:

487.18 [CRIMINAL JURISDICTION.]

(a) The county court has jurisdiction to hear, try and determine any charge of violation of

((1)) a criminal law of this state constituting a misdemeanor or gross misdemeanor committed within the county court district (;) and of

((2)) any ordinance, charter provision, rule or regulation of any subdivision of government in the county court district.

(b) The county court has jurisdiction to conduct preliminary hearings and to exercise all judicial powers incident to preliminary hearing proceedings on the charge of violation of any criminal law committed within the county court district.

(c) The county court has jurisdiction to hear, try and determine any matter constituting a petty misdemeanor.

Sec. 14. Minnesota Statutes 1980, Section 488A.01, Subdivision 4, is amended to read:

Subd. 4. [CIVIL JURISDICTION.] Excepting causes involving title to real estate, the court has jurisdiction to hear, try and determine civil actions at law in which the amount in controversy does not exceed (THE SUM OF \$6,000) \$15,000, exclusive of interest and costs.

Sec. 15. Minnesota Statutes 1980, Section 488A.01, Subdivision 6, is amended to read:

Subd. 6. [CRIMINAL JURISDICTION.] ((A)) The court has jurisdiction to hear, try and determine any charge of violation of:

(1) A criminal law of this state constituting a misdemeanor or gross misdemeanor committed within the county of Hennepin including all of the city of St. Anthony.

(2) Any ordinance, charter provision, rule or regulation of any subdivision of government in the county of Hennepin, including all of the city of St. Anthony or

(3) Any ordinance, charter provision, rule or regulation of the Minneapolis-St. Paul Metropolitan Airports Commission.

((B) THE COURT HAS JURISDICTION TO CONDUCT PRELIMINARY HEARINGS AND TO EXERCISE ALL JUDICIAL POWERS INCIDENT TO PRELIMINARY HEARING PROCEEDINGS, ON ANY CHARGE OF VIOLATION OF ANY CRIMINAL LAW OF THIS STATE COMMITTED WITHIN THE COUNTY OF HENNEPIN.)

Sec. 16. Minnesota Statutes 1980, Section 488A.01, Subdivision 8, is amended to read:

Subd. 8. [TERRITORIAL JURISDICTION.] (THE SUMMONS IN CIVIL AND FORCIBLE ENTRY AND UNLAWFUL DETAINER ACTIONS MAY BE SERVED ONLY WITHIN THE COUNTY OF HENNEPIN EXCEPT THAT SUCH SUMMONS MAY BE SERVED IN RAMSEY COUNTY ON STATE OFFICIALS FOR NON-RESIDENT INDIVIDUALS AND CORPORATIONS UNDER STATUTES PROVIDING FOR SUCH SERVICE. GARNISHMENT SUMMONS, SUBPOENAS AND) All (OTHER) civil and criminal process and orders may be served and enforced anywhere within the state of Minnesota.

Sec. 17. Minnesota Statutes 1980, Section 488A.18, Subdivision 4, is amended to read:

Subd. 4. [CIVIL JURISDICTION.] (a) Excepting cases involving title to real estate, the court has jurisdiction to hear, try and determine civil actions at law in which the amount in controversy does not exceed (THE SUM OF \$6,000) \$15,000, exclusive of interest and costs. The territorial jurisdiction of the court is coextensive with the geographic boundaries of the county of Ramsey.

(b) The court also has jurisdiction, within the limitations provided in this subdivision, to hear, try and determine civil actions commenced by a plaintiff, resident of Ramsey county, where the action arose out of alleged negligent operations of a motor vehicle in Ramsey county, notwithstanding that the defendant or defendants are not residents of the county. Notwithstanding any law or rule of civil procedure to the contrary, the summons in (ANY SUCH) the action may be served anywhere within the state of Minnesota.

(c) Notwithstanding the provisions of clause (a) or any rule of court to the contrary, the municipal court of Ramsey county has jurisdiction to determine an action brought pursuant to section 504.20 for the recovery of a deposit on rental property located in whole or in part in Ramsey county, and the summons in the action may be served anywhere within the state of Minnesota.

Sec. 18. Minnesota Statutes 1980, Section 488A.18, Subdivision 7, is amended to read:

Subd. 7. [CRIMINAL JURISDICTION.] ((A)) The court has jurisdiction to hear, try and determine any charge of violation within Ramsey county of:

(1) A criminal law of this state constituting a misdemeanor or *gross misdemeanor* and any offense of this state which constitutes a petty misdemeanor,

(2) Any ordinance, charter provision, rule or regulation of any subdivision of government in the county of Ramsey, or

(3) Any ordinance, charter provision, rule or regulation of the Minneapolis-Saint Paul Metropolitan Airports Commission,

(4) Any ordinance, rule or regulation of the regents of the University of Minnesota.

((B) THE COURT HAS JURISDICTION TO CONDUCT PRELIMINARY HEARINGS AND TO EXERCISE ALL JUDICIAL POWERS INCIDENT TO PRELIMINARY HEARING PROCEEDINGS, ON ANY CHARGE OF VIOLATION OF ANY CRIMINAL LAW OF THIS STATE COMMITTED WITHIN RAMSEY COUNTY.)

((C) JURISDICTION UNDER CLAUSES (1) AND (2) OF PARAGRAPH (A) OF THIS SUBDIVISION IS EXCLUSIVE FOR ANY VIOLATION COMMITTED WITHIN THE COUNTY OF RAMSEY; JURISDICTION UNDER PARAGRAPH (B) OF THIS SUBDIVISION IS EXCLUSIVE FOR ANY VIOLATION COMMITTED INSIDE THE CITY OF SAINT PAUL OR INSIDE THAT PART OF THE VILLAGE OF SAINT ANTHONY LYING INSIDE RAMSEY COUNTY.)

Sec. 19. Minnesota Statutes 1980, Section 488A.18, Subdivision 9, is amended to read:

Subd. 9. [TERRITORIAL JURISDICTION.] (THE SUMMONS IN CIVIL AND FORCIBLE ENTRY AND UNLAWFUL DETAINER ACTIONS MAY BE SERVED ONLY WITHIN THE COUNTY OF RAMSEY. GARNISHMENT SUMMONS, SUBPOENAS AND) All (OTHER) civil and criminal process and orders may be served and enforced anywhere within the state of Minnesota.

Sec. 20. Minnesota Statutes 1980, Section 488A.18, Subdivision 13, is amended to read:

Subd. 13. [TRIAL OF CRIMINAL ACTIONS.] All charges of misdemeanors, *gross misdemeanors*, petty misdemeanors and ordinance violations shall be tried in the municipality where the alleged violation occurred (; HOWEVER,). If there is no court located in (SUCH) *the* municipality, then the trial of (SUCH) *the* charges shall take place at the nearest place of holding court. In addition to (SUCH) *any* daytime arraignments as the court may establish, traffic and criminal arraignments shall be held at least once each week in the evening after 7:00 p.m. if so requested by the governing body of a city in which a court is situated as provided by Laws 1973, Chapter 708 by a resolution filed with the administrator of court.

Sec. 21. Minnesota Statutes 1980, Section 488A.27, Subdivision 11, is amended to read:

Subd. 11. [PROSECUTING ATTORNEYS.] Except where the county attorney is specifically designated by law as the prosecutor for the particular violation charged, the attorney of the municipality in which the violation is alleged to have occurred shall have charge of the prosecution of all violations of statutes, *including gross misdemeanor violations*, ordinances, charter provisions, rules or regulations triable in this court and shall prepare complaints for (SAID) *the* violations.

Sec. 22. Minnesota Statutes 1980, Section 525.09, is amended to read:

525.09 [CLERKS; APPOINTMENT; POWERS.]

(THE JUDGE MAY APPOINT A CLERK, DEPUTY CLERKS, AND EMPLOYEES AS PROVIDED BY LAW, TO HOLD OFFICE DURING HIS PLEASURE, WHO SHALL PERFORM THE DUTIES IMPOSED BY LAW AND SUCH JUDGE. SUCH APPOINTMENTS SHALL BE IN WRITING AND FILED IN SUCH COURT. BEFORE ENTERING UPON THE DUTIES OF HIS OFFICE, EACH CLERK AND SUCH DEPUTY CLERKS AND EMPLOYEES DESIGNATED BY THE COURT SHALL EXECUTE A BOND TO THE STATE IN THE AMOUNT OF \$1,000 APPROVED BY THE COUNTY BOARD AND CONDITIONED UPON THE FAITHFUL DISCHARGE OF HIS DUTIES. SUCH BOND WITH THE OATH OF THE APPOINTEE SHALL BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER. THE PREMIUMS ON SUCH BONDS AND THE EXPENSES OF SUCH RECORDING AND FILING SHALL BE PAID BY THE COUNTY. AN ACTION MAY BE MAINTAINED ON SUCH BOND BY ANY PERSON AGGRIEVED BY THE VIOLATION OF THE CONDITIONS THEREOF.) A clerk or deputy clerk may take acknowledgements, administer oaths, authenticate, exemplify, or certify copies of instruments, documents, or records of the court, and when so ordered may hear and report to the court the testimony of any witnesses and the interrogatories and objections of counsel.

Sec. 23. Minnesota Statutes 1980, Section 525.10, is amended to read:

525.10 [REFEREE; APPOINTMENT; BOND; OFFICE ABOLISHED.]

Subdivision 1. [OFFICE ABOLISHED.] The office of referee is abolished. No vacancy in the office of referee shall be filled, nor new office created.

Subd. 2. [INCUMBENTS.] Persons holding the office of referee on January 1, 1981, in the second and in the fourth judicial districts may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointment. All referees are subject to the administrative authority and assignment power of the chief judge of the district as provided in section 484.69, subdivision 3, and are not limited to assignment to probate court. All referees are subject to the provisions of section 484.70.

Subd. 3. [REFEREES.] (THE JUDGES OF THE PROBATE COURT IN HENNEPIN AND RAMSEY COUNTIES MAY APPOINT ONE OR MORE REFEREES) Each referee in probate (WHO) court shall be (A RESIDENT OF SUCH COUNTY AND) an attorney at law duly admitted in this state. (HE SHALL HOLD OFFICE DURING THE PLEASURE OF THE JUDGE APPOINTING HIM. SUCH) The appointment shall be in writing and filed in (SUCH) the court. (BEFORE

ENTERING UPON THE DUTIES OF HIS OFFICE, HE SHALL EXECUTE A BOND TO THE STATE IN THE AMOUNT OF \$1,000 APPROVED BY THE COUNTY BOARD AND CONDITIONED UPON THE FAITHFUL DISCHARGE OF HIS DUTIES. SUCH BOND WITH THE OATH OF THE APPOINTEE SHALL BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER. THE PREMIUMS ON SUCH BOND AND THE EXPENSES OF SUCH RECORDING AND FILING SHALL BE PAID BY THE COUNTY. AN ACTION MAY BE MAINTAINED ON SUCH BOND BY ANY PERSON AGGRIEVED BY THE VIOLATION OF THE CONDITIONS THEREOF.) The referee has the power to take acknowledgements and administer oaths.

Sec. 24. [ELECTION OF JUDGES.]

The additional offices of district judge created pursuant to section 1 shall be filled by election for a six year term at the general election in 1982.

Sec. 25. [484A.01] [TRIAL COURT ORGANIZATION OPTION.]

Subdivision 1. [INTENT TO REORGANIZE.] One year following certification to the secretary of state of intention to reorganize pursuant to this section by a majority of the district judges and a majority of the county or county municipal and probate judges within a district court judicial district the court organization provisions specified in this section shall apply to that district.

Subd. 2. [ONE TRIAL COURT.] There shall be one general trial court to be known as the district court. The district court may hold sessions anywhere in its geographical area where adequate facilities exist for the disposition of court business.

Subd. 3. [JURISDICTION.] The district courts shall have original jurisdiction in all civil actions within their respective districts, in all cases of crime committed or triable therein, in all special proceedings not exclusively cognizable by some other court or tribunal, and in all other cases wherein jurisdiction is conferred upon them by law. They shall also have appellate jurisdiction in every case in which an appeal thereto is allowed by law from any other court, officer, or body.

Subd. 4. [TRIAL COURT DIVISIONS.] Subject to rules of the supreme court, a district court shall establish a probate division, a family court division, a civil division and a criminal division, and shall establish within the civil division a conciliation court and may establish within the criminal division traffic and ordinance violation bureaus at whatever locations it determines. The territorial jurisdiction of a conciliation court shall be coextensive with the county in which the court is established.

The conciliation court shall hear and determine civil claims by a simple and informal procedure without jury trial. The jurisdiction of the conciliation court shall extend to the claims provided in section 487.30. The rules of the supreme court shall govern practice and procedure in conciliation court and shall provide for a right of appeal from the decision of the conciliation court to the district court for a trial de novo on the merits.

Subd. 5. [PROBATE DIVISION.] *The probate division shall include all cases and proceedings relating to the administration of estates of deceased persons, of persons under guardianship, and proceedings for the administration of trust estates or actions relating thereto. It shall also include all cases and proceedings relating to the management of the property of persons who have disappeared.*

Subd. 6. [FAMILY COURT DIVISION.] *The family court division shall include all cases and proceedings arising out of the juvenile court act of this state and all cases arising out of or affecting the family relationship including the civil commitment of persons pursuant to Minnesota Statutes, Chapter 253A, and all cases and proceedings arising under Minnesota Statutes, Chapter 518.*

Subd. 7. [CIVIL DIVISION.] *The civil division shall consist of all cases and proceedings within the jurisdiction of the court not included in another division, including jurisdiction in actions of forcible entry and unlawful detainer involving land located wholly or partly within the court district.*

Subd. 8. [CRIMINAL DIVISION.] *The criminal division shall consist of all criminal proceedings residing in county or county municipal and district court prior to adoption of this act, any petty misdemeanor and any charge of violation of any ordinance, charter provision, or rule of any subdivision of government in the district.*

Subd. 9. [DISTRICT COURT JUDGES.] *All district court judges in office on the date the organization option provisions become effective shall be designated as judges of the district court established herein and shall continue in office for the balance of the terms for which they were last elected and shall be eligible for reelection to office.*

Subd. 10. [COURTS ABOLISHED.] *All district, probate, county or county municipal courts existing in the district are abolished as of the date the organization option provisions establishing the district court become effective.*

Subd. 11. [JUDGES OF INFERIOR COURTS.] *All persons who are licensed to practice law in the district and who are*

judges of a probate, county or county municipal court existing in the district as of the date the organization option provisions become effective shall thereafter be designated as judges of the district court herein established. The judges shall serve as so designated for the balance of the term for which they were elected. All judges of the courts upon completion of their term of office shall be entitled to run for reelection as incumbent judges of the district court established herein.

Subd. 12. [PLEADING, PRACTICE, PROCEDURE AND FORMS IN CIVIL ACTIONS.] *Pleading, practice, procedure and forms in civil actions shall be governed by rules of civil procedure for the district court established herein which shall be adopted by the supreme court. Until the rules become effective, such matters are governed by the rules for the district court, established under Minnesota Statutes, Chapter 484, and rules promulgated from time to time by the supreme court or by the statutes governing the district court insofar as the rules promulgated by the supreme court do not contain any applicable provision. The district court established herein may adopt rules governing pleading, practice, procedure and forms for civil actions. The rules shall be consistent with the provisions of this section and the rules for district court promulgated by the supreme court.*

Subd. 13. [PLEADING, PRACTICE, PROCEDURE AND FORMS IN CRIMINAL PROCEEDINGS.] *Subject to the provisions of Minnesota Statutes, Section 480.059, pleading, practice, procedure, and forms in actions or proceedings charging violation of a criminal law or a municipal ordinance, charter provision, or rule are governed by rules of criminal procedure.*

Subd. 14. [APPELLATE DIVISION.] *An appellate division shall be established within the district court and may hear any appeal from the district court. The supreme court shall promulgate rules governing procedure in the appeals. Appeal from the decision of the district court shall be to the supreme court at its discretion.*

Subd. 15. [RETIREMENT.] *All judges of the county, municipal, and probate court who became district court judges through the exercise of this court reorganization option shall have their retirement governed by section 487.06 or chapter 490 until changed by law.*

Sec. 26. Minnesota Statutes 1980, Section 484.01, is amended to read:

484.01 [JURISDICTION.]

Subdivision 1. The district courts shall have original jurisdiction in all civil actions within their respective districts, in

all cases of crime committed or triable therein, in all special proceedings not exclusively cognizable by some other court or tribunal, and in all other cases wherein such jurisdiction is especially conferred upon them by law. (THEY SHALL ALSO HAVE APPELLATE JURISDICTION IN EVERY CASE IN WHICH AN APPEAL THERETO IS ALLOWED BY LAW FROM ANY OTHER COURT, OFFICER, OR BODY.)

Subd. 2. An appellate division is established within the district court and may hear any appeal from the district court and from any other court, officer, or body allowed by law. The supreme court shall promulgate rules governing procedure in the appeals. Appeal from the decision of the district court shall be to the supreme court at its discretion.

Sec. 27. [CLERK OF PROBATE COURT, SECOND JUDICIAL DISTRICT.]

The judicial district administrator in the second judicial district may appoint a clerk of the probate court for the district subject to the approval of the chief judge and assistant chief judge who shall serve at the pleasure of the judges of the district, who shall be supervised by the judicial district administrator, and whose salary shall be fixed by the Ramsey county board of commissioners.

Sec. 28. [REPEALER.]

Subdivision 1. Minnesota Statutes 1980, Sections 484.67; 484.70, Subdivisions 2, 3, 4 and 5; 487.08, Subdivision 4; 487.09; and 525.04, are repealed.

Subd. 2. Laws 1978, Chapter 750, Section 6, is repealed.

Sec. 29. [APPROPRIATION.]

There is appropriated from the general fund to the state courts for the fiscal year indicated for the salaries and fringe benefits of the additional judges elected pursuant to section 1.

FY 1982	FY 1983
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.....	\$264,500
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Sec. 30. [EFFECTIVE DATE.]

Sections 8 and 28, subdivision 2, of this act are effective the day following final enactment. Sections 12, 13, 15, 18, 20, and 21 are effective January 1, 1982. Section 28, subdivision 1, and the remaining sections are effective August 1, 1981."

Delete the title and insert:

"A bill for an act relating to courts; providing for certain reorganization in the court system in the state; providing that the second and fourth judicial district courts shall also be probate courts; creating certain judicial positions to be filled by election; raising the jurisdictional limit in county and county municipal court; providing the county and county municipal court with gross misdemeanor jurisdiction; abolishing the office of referee; providing for continuance of certain referee positions for a limited time; providing for continuance of certain judicial officer positions for a limited time; authorizing the judges of the courts within each judicial district to elect to form one unified court; creating an appellate division of the district court; appropriating money; amending Minnesota Statutes 1980, Sections 2.722, Subdivision 1, and by adding a subdivision; 260.031, Subdivision 1; 484.01; 484.66, Subdivision 1; 484.70, Subdivision 1, and by adding subdivisions; 487.08, Subdivisions 2 and 3; 487.15; 487.16; 487.18; 488A.01, Subdivisions 4, 6 and 8; 488A.18, Subdivisions 4, 7, 9 and 13; 488A.27, Subdivision 11; 525.09; 525.10; proposing new law coded in Minnesota Statutes, Chapter 484; proposing new law coded as Minnesota Statutes, Chapter 484A; repealing Minnesota Statutes 1980, Sections 484.67; 484.70, Subdivisions 2, 3, 4 and 5; 487.08, Subdivision 4; 487.09; 525.04; and Laws 1978, Chapter 750, Section 6."

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. 1253, A bill for an act relating to the department of economic security; authorizing financial assistance to community action agencies; defining terms; providing a formula for the distribution of funds; proposing new law coded as Minnesota Statutes, Chapter 268A.

Reported the same back with the following amendments:

Page 1, line 24, after "4" insert *"in accordance with state and federal law and regulation"*

Page 2, line 4, delete everything after *"state."*

Page 2, delete lines 5 and 6

Page 2, after line 9, insert:

"Subd. 4. [DEFINITION.] For the purposes of this act, "poverty level population" shall be defined as the number of people whose household income is below the poverty line estab-

lished by the United States Department of Commerce, Bureau of the Census."

Page 2, line 21, delete "18" and insert "15"

Page 2, line 24, insert a period after "representatives" and delete the rest of the line

Page 2, delete lines 25 to 28

Page 6, after line 1, insert:

"Sec. 5. [SUNSET PROVISION.]

Sections 1 to 4 are repealed June 30, 1983."

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:

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.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [HASTINGS; STATE LAND TRANSFER.]

The commissioner of administration shall, for a nominal consideration, lease for a term not to exceed 50 years, to the city of Hastings, the part of the S 1/2 of the NE 1/4 and N 1/2 of the SE 1/4 of Section 34, Township 115, Range 17 that is required by the city and owned by the state of Minnesota. The area transferred may not exceed 48 acres and shall be leased in the discretion of the city. The city may, in its discretion, pay consideration for the transfer in addition to nominal consideration and shall promise to improve and maintain the property in a manner that accommodates the needs of the adjoining or nearby state property. The lease documents shall provide that the lease shall terminate immediately if the city uses the property for other than recreational purposes. The attorney general shall provide appropriate documents of lease with an accurate legal description of the subject property.

Sec. 2. [EFFECTIVE DATE.]

Pursuant to Minnesota Statutes, Section 645.023, Subdivision 1, Clause (a), this act is effective the day after final enactment and without local approval."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 20, 165, 295, 553, 766, 1005, 1086, 1098, 1139 and 1253 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 980 was read for the second time.

SPECIAL ORDERS

S. F. No. 1212 was reported to the House.

The Speaker called Wynia to the Chair.

Schreiber moved to amend S. F. No. 1212, as follows:

Page 2, delete lines 5 to 11

Renumber the remaining section

Amend the title as follows:

Page 1, line 3, after "stores;" delete "restricting"

Page 1, delete line 4

Page 1, line 5, delete "operation;"

The motion prevailed and the amendment was adopted.

Dean moved to amend S. F. No. 1212, as amended, as follows:

Page 2, line 14, after "*publish*" insert "*a balance sheet using generally accepted accounting principles and*"

The motion prevailed and the amendment was adopted.

S. F. No. 1212, A bill for an act relating to municipalities; discontinuance of unprofitable municipal liquor stores; restricting expenditure of public funds for liquor store operation; publica-

tion of operating statement; amending Minnesota Statutes 1980, Section 340.353, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapters 426 and 471.

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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

MOTION FOR RECONSIDERATION

Vanasek moved that the vote on the Rothenberg motion whereby the House refused to concur in the Senate amendments to H. F. No. 2, and that the Speaker appoint a conference committee of 3 members of the House be now reconsidered. The motion prevailed.

The Rothenberg motion was withdrawn.

Vanasek moved that the House refuse to concur in the Senate amendments to H. F. No. 2, 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.

SPECIAL ORDERS, Continued

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 third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

Stadum and Haukoos moved to amend S. F. No. 1106, the second engrossment, as follows:

Page 4, after line 8, insert:

"Sec. 3. Minnesota Statutes 1980, Section 3A.01, Subdivision 3, is amended to read:

Subd. 3. [MEMBER OF THE LEGISLATURE.] "Member of the legislature" means a member of the house of representatives or the senate of the state of Minnesota who has subscribed

to the oath of office, unless the member of the house of representatives or the senate elects to be excluded from coverage by the legislators retirement plan pursuant to section 10, elects to discontinue membership in and retirement coverage by the legislators retirement plan pursuant to section 277, or elects to retain membership in the public employees' retirement association pursuant to section 3A.09."

Page 9, after line 25, insert:

"Sec. 10. [3A.061] [EXCLUSION FROM PLAN COVERAGE.]

Any member of the house of representatives or the senate may elect to be excluded from retirement coverage by the legislators retirement plan. The election to be excluded shall be made within 30 days of the commencement of the initial regular session of the legislature in which the member serves. Upon electing to be excluded from retirement coverage, the member shall not be required to make the employee contribution pursuant to section 3A.03, Subdivision 1. The election to be excluded from retirement coverage shall be made in writing on a form prescribed by the director and shall be irrevocable for any subsequent service as a member of the house of representatives or the senate. A member who elects to be excluded from coverage shall not have any service in the legislature counted as service credit for the purpose of any public pension plan in this state.

Page 221, after line 16, insert:

"Sec. 277. [DISCONTINUATION OF PLAN MEMBERSHIP.]

Any member of the legislature who serves during the 1981 legislative session may elect to discontinue membership in and retirement coverage by the legislators retirement plan. The election to discontinue membership and retirement coverage shall be made within 60 days after the effective date of this act. Upon electing to discontinue membership and retirement coverage, the member shall not be required to make any further employee contributions pursuant to section 3A.03, subdivision 1, and shall be entitled to a refund of an amount equal to the member's accumulated employee contribution within 30 days of making the election to discontinue membership and retirement coverage without interest. The election to discontinue membership and retirement coverage shall be made in writing on a form prescribed by the director and shall be irrevocable for any subsequent service as a member of the legislature."

Renumber the sections accordingly and correct internal cross references

Further, amend the title as follows:

Page 1, line 2, after the semicolon, insert "providing an election for legislators to be excluded from the legislators retirement plan;"

Page 1, line 8, after "Subdivisions 2" insert ", 3"

Page 2, line 58, after "Chapters" insert "3A,"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 58 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Ainley	Friedrich	Kalis	Nysether	Searles
Anderson, B.	Gruenes	Kvam	Ogren	Sherwood
Anderson, I.	Harens	Laidig	Osthoff	Stadum
Begich	Haukoos	Levi	Peterson, B.	Stowell
Blatz	Heap	Ludeman	Piepho	Sviggum
Dean	Heinitz	Marsh	Redalen	Valan
Dempsey	Himle	McCarron	Reif	Valento
Den Ouden	Hoberg	McDonald	Rice	Weaver
Brew	Hokr	McEachern	Rose	Welker
Esau	Jennings	Mehrkens	Sarna	Wieser
Fjoslien	Johnson, D.	Metzen	Schafer	
Forsythe	Jude	Nelsen, B.	Schreiber	

Those who voted in the negative were:

Anderson, G.	Ellingson	Lehto	Onnen	Skoglund
Anderson, R.	Erickson	Lemen	Otis	Staten
Battaglia	Evans	Long	Peterson, D.	Stumpf
Berkelman	Greenfield	Luknic	Pogemiller	Swanson
Brandl	Gustafson	Mann	Reding	Tomlinson
Byrne	Hanson	Minne	Rees	Vanasek
Carlson, D.	Hauge	Munger	Rodriguez, C.	Vellenga
Carlson, L.	Hokanson	Murphy	Rodriguez, F.	Voss
Clark, J.	Jacobs	Nelson, K.	Samuelson	Welch
Clark, K.	Johnson, C.	Niehaus	Schoenfeld	Wenzel
Clawson	Kahn	Norton	Shea	Wigley
Dahlvang	Kaley	Novak	Sherman	Wynia
Eken	Kelly	O'Connor	Sieben, M.	Zubay
Elioff	Kostohryz	Olsen	Simoneau	Spkr. Sieben, H.

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

Wieser moved to amend S. F. No. 1106, the second engrossment, as follows:

Page 220, after line 7, insert:

"Sec. 274. Minnesota Statutes 1980, Section 3A.03, is amended by adding a subdivision to read:

Subd. 3. [REFUNDS: EFFECT AND REPAYMENT.] Eligibility to receive a refund and the effect of receiving a re-

fund shall be governed by the applicable provisions of sections 352.22, Subdivisions 1, 2, 5 and 8, and 352.23, except that a member or former member accepting a refund shall not thereafter be eligible pursuant to any law, including section 356.30, subdivision 2, to repay the amount refunded. A member or former member who takes a refund after January 1, 1981, shall not be entitled to have any service as a member of the legislature covered by that refund counted as service credit for the purpose of any public pension plan in this state."

Renumber the remaining sections.

Page 221, line 5, after "Sections" insert "3A.03, Subdivision 2; 3A.12, Subdivision 2;"

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "clarifying the law governing refunds from the legislator's retirement plan;"

Page 1, line 8, after "subdivision 1;" insert "3A.03, by adding a subdivision;"

Page 2, line 59, after "Sections" insert "3A.03, Subdivision 2; 3A.12, Subdivision 2;"

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

S. F. No. 1106, A bill for an act relating to retirement; clarifying certain ambiguous provisions; correcting certain oversights, inconsistencies, unintended results and erroneous provisions; eliminating certain redundant, obsolete or conflicting provisions; amending Minnesota Statutes 1980, Sections 3.85, Subdivision 3; 3A.01, Subdivisions 2 and 7; 3A.02, Subdivision 1; 3A.04, Subdivisions 1, 1a, 2 and 4; 3A.05; 3A.09; 3A.11, Subdivisions 1 and 2; 3A.12, Subdivision 1; 11A.17, Subdivision 11; 11A.23, Subdivision 2; 15A.083, Subdivision 3; 16A.19; 43.051, Subdivision 4; 69.011, Subdivision 1; 69.031, Subdivisions 5 and 6; 69.051, Subdivision 1; 69.77, Subdivisions 1, 1a, 2 and 2a; 69.772, Subdivisions 2 and 2a; 69.773, Subdivision 2; 118.01, Subdivision 11; 136.80, Subdivision 1; 136.81; 136.82; 136.83; 136.85; 136.87, Subdivisions 1 and 2; 275.125, Subdivision 6a; 275.50, Subdivision 5; 352.01, Subdivisions 2A, 11, 19 and 23; 352.029, Subdivision 1; 352.03, Subdivision 6; 352.113, Subdivision 4; 352.115, Subdivision 10; 352.116, Subdivision 3; 352.12, Subdivision 11; 352.22, Subdivisions 2a, 3 and 10; 352.72, Subdivisions 2 and 4; 352.75; 352.85, by adding a subdivision; 352.90; 352.91, Subdivision 2; 352B.02, Subdivision 1; 352B.08, Subdivision 2; 352B.11, Subdivision 2; 352B.26, Subdivisions 1 and 3; 352C.031, by adding a subdivision; 352C.04, Subdivision 1; 352D.02, Subdivisions 1 and 2; 352D.04, Subdivision 2; 352D.09, Subdivision 1; 352E.01, Subdivision 1; 353.01, Sub-

divisions 6, 7 and 10; 353.023; 353.03, Subdivision 1; 353.16; 353.28, Subdivisions 6 and 8; 353.29, Subdivision 4; 353.30, Subdivision 1c; 353.31, Subdivisions 1 and 9; 353.32, Subdivision 1a; 353.33, Subdivision 2; 353.34, Subdivision 3; 353.36, Subdivision 2; 353.37, Subdivisions 1 and 1a; 353.46, Subdivision 1a, and by adding a subdivision; 353.64, by adding a subdivision; 353.656, Subdivision 6; 353.71, Subdivision 1; 354.05, Subdivisions 2, 13, 24, 25 and 26; 354.06, Subdivision 1; 354.07, Subdivision 1; 354.43, Subdivision 4; 354.44, Subdivisions 1a, 4, 5, 6, 7 and 8; 354.47, Subdivision 1; 354.48, Subdivision 10, and by adding a subdivision; 354.50, Subdivision 2; 354.51, Subdivisions 1, 4 and 5; 354.52, Subdivisions 2, 3 and 4; 354.53, Subdivisions 1 and 3; 354.55, Subdivision 11; 354.56; 354.57; 354.60; 354.62, Subdivision 5; 354.66; 354.69; 354A.011, Subdivision 27; 354A.091, Subdivisions 1 and 6; 354A.092; 354A.094, Subdivisions 3, 8, 11, and by adding a subdivision; 354A.31, Subdivision 3; 354A.35, Subdivisions 2 and 3; 355.07; 355.11, Subdivisions 2, 4 and 5; 355.13, Subdivision 2; 355.21, Subdivisions 2 and 4; 355.22; 355.23, Subdivision 1; 355.29, Subdivisions 1, 3 and 4; 355.311, Subdivisions 1, 2 and 4; 355.41, Subdivisions 2, 3, 4 and 7; 355.46, Subdivision 3; 355.71, Subdivision 6; 355.72; 355.73, by adding a subdivision; 356.18, Subdivision 1; 356.20; 356.215; 356.216; 356.22, Subdivision 1; 356.24; 356.25; 356.32, Subdivision 1; 356.39; 356.45, Subdivision 2; 356.60, Subdivision 1; 422A.01, Subdivision 11; 422A.06, Subdivisions 2, 3 and 5; 422A.08, Subdivisions 1 and 5; 422A.09, Subdivision 3; 422A.101; 422A.11, Subdivision 1; 422A.15, Subdivision 1; 422A.16, Subdivision 8; 422A.22, Subdivision 2; 422A.23, Subdivision 5; 422A.24; 422A.26; 423.075, Subdivision 1; 423.38; 423.801, Subdivision 2; 423.802; 423.805; 423.806, Subdivision 1; 423.807, Subdivisions 1 and 2; 423.808; 423.809, Subdivisions 1 and 2; 423.810, Subdivision 1; 423.815, Subdivision 1; 423A.04; 424A.02, Subdivisions 1 and 8; 424A.04; 424A.05, Subdivision 1; 458.18, Subdivision 1; 484.61; 484.68, Subdivision 8; 487.01, Subdivisions 7 and 9; 488A.115; 488A.285; 490.101, Subdivision 2; 490.106; 490.107; 490.12, by adding a subdivision; 490.121, Subdivisions 1, 4, 6 and 7; 490.122; 490.123, Subdivision 1; 490.124, Subdivisions 1, 2, 6 and 10; 490.126, Subdivision 1; 490.129; and 490.132; Laws 1955, Chapter 75, Section 12, Subdivision 2, as amended; Laws 1959, Chapter 131, Section 10, Subdivision 1, as amended; Laws 1965, Chapters 446, Section 7, Subdivision 1, as amended; 458, Section 3, Subdivision 2, as amended; and 498, Section 1, Subdivision 1, as amended; Laws 1967, Chapters 575, Section 9, Subdivision 2; 742, Section 2; 775, Section 8, as amended; 798, Section 1, Subdivision 1, as amended; and 815, Section 8, Subdivision 1; Laws 1969, Chapters 526, Section 11, Subdivision 1; 576, Section 1, Subdivision 1, as amended; 641, Section 2, Subdivision 1, as amended; 719, Section 2; 1088, Section 8, Subdivision 1, as amended; and 1105, Section 4; Laws 1971, Chapters 51, Sections 9, as amended, and 10, Subdivision 2, as amended; 114, Section 8, Subdivision 1; 184, Sections 4 and 5; 214, Section 10; 407, Section 1, Subdivisions 2 and 3; 614, Section 2; and 810, Section 7, as amended; Laws 1973, Chapters 304, Section 3, Subdivision

1; and 587, Section 1, Subdivisions 3, as amended, and 5, as amended; Laws 1974, Chapter 251, Section 1, Subdivisions 2 and 3; Laws 1975, Chapter 424, Section 11, as amended; Laws 1976, Chapter 36, Sections 2, 3 and 4; Laws 1977, Chapter 61, Section 5, Subdivision 2, as amended; and Laws 1978, Chapter 689, Sections 4, Subdivision 2, and 8; proposing new law coded in Minnesota Statutes, Chapters 345, 352, 353, 355 and 356; repealing Minnesota Statutes 1980, Sections 136.86; 352.115, Subdivision 13; 352.1181; 352B.075; 352D.10; 354.09, Subdivisions 1 and 4; 354.41, Subdivisions 6 and 8; 355.302; 355.303; 355.304; 355.305; 355.306; 355.307; 355.308; 355.309; 355.53; 355.73, Subdivisions 5, 6 and 7; 356.18, Subdivision 2; 422A.01, Subdivisions 14, 15 and 16; 422A.08, Subdivisions 2, 3, 4 and 6; 422A.081; 422A.091; 422A.30; 422A.31; 422A.32; 422A.33; 422A.34; 422A.35; 422A.39; 423.075, Subdivision 2; 423.815, Subdivision 3; 487.06; 490.104; 490.127; 490.128; and 490.13; Laws 1969, Chapter 252; Laws 1973, Chapter 481; Laws 1975, Chapter 429; Laws 1978, Chapter 538, Section 6; and Laws 1980, Chapters 342, Section 20; and 509, Section 135.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 732, A bill for an act relating to insurance; revising the statutory provisions relating to surplus lines insurance; clarifying its operation and coverage; providing penalties; proposing new law coded in Minnesota Statutes, Chapter 60A; repealing Minnesota Statutes 1980, Section 60A.20.

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 116 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

McDonald

The bill was passed and its title agreed to.

H. F. No. 769, A bill for an act relating to transportation; establishing a rail bank account; providing for the deposit of money in the rail bank account and specifying the purposes for which it may be expended; appropriating money; amending Minnesota Statutes 1980, Sections 222.49; 222.50, Subdivision 7; 222.63, by adding a subdivision; and Laws 1980, Chapter 610, Section 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	Erickson	Knickerbocker	O'Connor	Sherman
Ainley	Esau	Kostohryz	Ogren	Sherwood
Anderson, B.	Evans	Kvam	Olsen	Sieben, M.
Anderson, G.	Fjoslien	Laidig	Onnen	Simoneau
Anderson, I.	Forsythe	Lehto	Osthoff	Skoglund
Anderson, R.	Friedrich	Lemen	Otis	Stadum
Battaglia	Greenfield	Levi	Peterson, B.	Staten
Begich	Gruenes	Long	Peterson, D.	Stowell
Berkelman	Gustafson	Ludeman	Piepho	Stumpf
Blatz	Halberg	Luknic	Pogemiller	Svigum
Brandl	Hanson	Mann	Redalen	Swanson
Brinkman	Hauge	Marsh	Reding	Tomlinson
Byrne	Haukoos	McCarron	Rees	Valan
Carlson, D.	Heap	McDonald	Reif	Valento
Carlson, L.	Heinitz	McEachern	Rice	Vanasek
Clark, J.	Himle	Mehrkens	Rodriguez, C.	Vellenga
Clark, K.	Hoberg	Metzen	Rodriguez, F.	Voss
Clawson	Hokanson	Minne	Rose	Weaver
Dahlvang	Hokr	Munger	Rothenberg	Welch
Dean	Jennings	Murphy	Samuelson	Welker
Dempsey	Johnson, C.	Nelsen, B.	Sarna	Wenzel
Den Ouden	Johnson, D.	Nelson, K.	Schafer	Wigley
Drew	Jude	Niehaus	Schoenfeld	Wynia
Eken	Kahn	Norton	Schreiber	Spkr. Sieben, H.
Elioff	Kalis	Novak	Searles	
Ellingson	Kelly	Nysether	Shea	

The bill was passed and its title agreed to.

S. F. No. 452 was reported to the House.

Clark, K., moved to amend S. F. No. 452, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 11A.09, is amended to read:

11A.09 [(STANDARD OF CARE) INVESTMENT STANDARDS.]

Subdivision 1. [POLICY.] The legislature finds that moneys under the jurisdiction of the state board must be invested so that the total portfolio is designed to earn the highest possible return consistent with the need to preserve the security of the moneys. Further, the legislature finds that the moneys under the board's jurisdiction offer the potential for helping to improve Minnesota's economic condition and thereby directly benefitting the beneficiaries of the moneys and other citizens of the state. Further, the legislature finds that the investment of money solely to benefit the interests of retirement plan participants and beneficiaries represents a highly desirable goal. In recognition of

these findings, the legislature adopts the following standards of care to govern the investment of moneys under the jurisdiction of the board.

Subd. 2. [PRUDENT PERSON.] In the discharge of their respective duties, the members of the state board, director, board staff, members of the council and any other person charged with the responsibility of investing money pursuant to the standards set forth in sections 11A.01 to 11A.25 shall act solely in the interest of the beneficiaries of the money and for the exclusive purpose of providing benefits to the beneficiaries, shall act in good faith and shall exercise that degree of judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of (THEIR OWN AFFAIRS) an enterprise of like character, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived therefrom.

Subd. 3. [ADDITIONAL STANDARDS.] In selecting among those investment opportunities which meet the prudent person standard defined in subdivision 2 and any other applicable statutory limitations, the board and its staff shall to the extent possible select those investments which have one or more of the following characteristics:

(a) the investment is in a business concern that does business in the state, which employs Minnesota residents, which has the potential for job expansion in the state, and which will contribute to the state's economic well-being;

(b) the investment will tend to improve the economic viability of a small city or urban neighborhood in the state;

(c) the investment will increase the supply of housing in the state, especially housing intended for low and moderate income persons;

(d) the investment will result in the development of alternative energy systems in Minnesota, will encourage energy conservation in the state or will reduce the state's dependence on outside energy sources;

(e) the investment will assist in the preservation and promotion of family farming or small business in the state; and

(f) the investment will serve other goals as identified by the board as being in the economic interests of beneficiaries of moneys invested by the board and the citizens of the state.

In applying the standards contained in this subdivision, the state board and its staff shall take no actions which they con-

strue to be not in the best interests of retirement plan participants and beneficiaries.

Subd. 4. [EXEMPTION.] The standards and prohibitions contained in subdivision 3 shall not apply in respect to the investments of the post-retirement investment fund established in section 11A.18."

The motion prevailed and the amendment was adopted.

Clark, K., moved to amend S. F. No. 452, as amended, as follows:

Page 2, line 20, delete everything after "*investment*" and insert "*will contribute to job expansion in Minnesota for*"

Page 2, line 21, delete "*business in the state, which employs*" delete the second "*which*"

Page 2, line 22, delete "*has the potential for job expansion in the state,*" delete "*which*"

Page 3, line 6, delete "*and prohibitions*"

The motion prevailed and the amendment was adopted.

Peterson, B., moved to amend S. F. No. 452, as amended, as follows:

Page 2, delete lines 14 to 36

Page 3, delete lines 1 to 9

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 60 yeas and 71 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

McDonald moved to amend S. F. No. 452, as amended, as follows:

Page 3, after line 9, insert a new subdivision to read:

"Subd. 5. [APPROVAL] This section 11A.09 shall be effective upon the approval of the majority of the trustees of the retirement funds affected."

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 44 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Ainley	Halberg	Levi	Peterson, B.	Sviggum
Battaglia	Haukoos	Ludeman	Redalen	Valan
Blatz	Heinitz	Marsh	Rees	Valento
Den Ouden	Hoberg	McDonald	Rothenberg	Weaver
Erickson	Johnson, D.	Nelsen, B.	Schafer	Welker
Esau	Kaley	Niehaus	Searles	Wieser
Fjoslien	Knickerbocker	Nysether	Sherwood	Wigley
Friedrich	Kvam	Olsen	Stadum	Zubay
Gruenes	Laidig	Onnen	Stowell	

Those who voted in the negative were:

Anderson, G.	Clark, K.	Greenfield	Jude	McCarron
Anderson, I.	Clawson	Gustafson	Kahn	McEachern
Begich	Dahlvang	Hanson	Kelly	Metzen
Berkelman	Dempsey	Harens	Kostohryz	Minne
Brandl	Eken	Hauge	Lehto	Munger
Brinkman	Elioff	Himle	Lemen	Murphy
Byrne	Ellingson	Hokanson	Long	Nelson, K.
Carlson, L.	Forsythe	Jacobs	Luknic	Norton
Clark, J.		Johnson, C.	Mann	Novak

O'Connor	Reding	Sarna	Stumpf	Wenzel
Ogren	Reif	Shea	Swanson	Wynia
Osthoff	Rice	Sherman	Tomlinson	Spkr. Sieben, H.
Otis	Rodriguez, C.	Sieben, M.	Vanasek	
Peterson, D.	Rodriguez, F.	Simoneau	Vellenga	
Piepho	Rose	Skoglund	Voss	
Pogemiller	Samuelson	Staten	Welch	

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

Sviggum moved to amend S. F. No. 452, as amended, as follows:

Page 2, line 15, after "*which*" insert "*have substantially similar risk and return and which*"

Page 2, line 18, delete everything after "*which*" and insert "*will contribute to the economic well-being of the state of Minnesota.*"

Page 2, delete lines 19 to 36

Page 3, delete lines 1 to 5

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 64 yeas and 67 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G.	Clark, J.	Hanson	Kostohryz	Nelson, K.
Anderson, I.	Clark, K.	Hauge	Lehto	Norton
Battaglia	Clawson	Hokanson	Long	Novak
Begich	Dahlvang	Jacobs	Mann	O'Connor
Berkelman	Eken	Johnson, C.	McCarron	Ogren
Brandl	Elioff	Jude	Metzen	Osthoff
Brinkman	Ellingson	Kahn	Minne	Otis
Byrne	Greenfield	Kalis	Munger	Peterson, D.
Carlson, L.	Gustafson	Kelly	Murphy	Pogemiller

Reding	Sarna	Skoglund	Vanasek	Wynia
Rice	Schoenfeld	Staten	Vellenga	Spkr. Sieben, H.
Rodriguez, C.	Shea	Stumpf	Voss	
Rodriguez, F.	Sieben, M.	Swanson	Welch	
Samuelson	Simoneau	Tomlinson	Wenzel	

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

S. F. No. 452, A bill for an act relating to the state board of investment; establishing standards for the selection of certain prudent investments; amending Minnesota Statutes 1980, Section 11A.09.

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

The question was take on the passage of the bill and the roll was called. There were 76 yeas and 55 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Aasness	Haukoos	Levi	Onnen	Sherman
Blatz	Heap	Ludeman	Peterson, B.	Sherwood
Dempsey	Heinitz	Marsh	Piepho	Stadum
Den Ouden	Himle	McDonald	Redalen	Stowell
Erickson	Hoberg	McEachern	Rees	Swiggum
Esau	Hokr	Mehrkins	Reif	Valan
Ewald	Jennings	Metzen	Rose	Valento
Fjoslien	Johnson, D.	Neisen, B.	Rothenberg	Weaver
Forgythe	Kaley	Niehaus	Schafer	Welker
Friedrich	Kvam	Nysether	Schreiber	Wigley
Gruenes	Lemen	Olsen	Searles	Zubay

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

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

Heap moved to amend S. F. No. 1132, as follows:

Page 1, line 11, after "awarding" insert "associate"

Page 1, line 13, after "if" delete "a" and insert "an associate"

Page 1, line 16, delete "because of geographic isolation"

Page 1, line 17, after "offer", delete "a" and insert "an associate"

Page 1, line 23, delete "be phased out by" and insert "not be subject to the provisions of this section."

Page 1, delete lines 24 and 25

Amend the title as follows:

Page 1, line 3, after "grant" insert "associate"

The motion prevailed and the amendment was adopted.

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

The bill was read for the 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 95 yeas and 20 nays as follows:

Those who voted in the affirmative were:

Aasness	Elioff	Jude	Norton	Searles
Anderson, G.	Esau	Kahn	Novak	Shea
Anderson, I.	Evans	Kalis	Ogren	Sherwood
Anderson, R.	Ewald	Kelly	Olsen	Sieben, M.
Begich	Fjoslien	Kostohryz	Osthoft	Simoneau
Berkelman	Forsythe	Laidig	Peterson, B.	Skoglund
Blatz	Greenfield	Lehto	Peterson, D.	Staten
Brinkman	Hanson	Levi	Piepho	Swanson
Byrne	Hauge	Long	Pogemiller	Tomlinson
Carlson, D.	Haukoos	Luknic	Redalen	Valento
Carlson, L.	Heap	Mann	Reding	Vanasek
Clark, J.	Heinitz	Marsh	Rees	Vellenga
Clark, K.	Himle	McCarron	Reif	Voss
Clawson	Hokanson	McDonald	Rice	Weaver
Dahlvang	Hokr	Mehrken	Rodriguez, C.	Welch
Dean	Jacobs	Minne	Rose	Welker
Dempsey	Jennings	Munger	Rothenberg	Wenzel
Den Ouden	Johnson, C.	Nelson, K.	Samuelson	Wigley
Eken	Johnson, D.	Niehaus	Sarna	Spkr. Sieben, H.

Those who voted in the negative were:

Ainley	Anderson, B.	Battaglia	Brandl	Erickson
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Friedrich
Gruenes
Hoberg

Kaley
Lemen
Murphy

Nelsen, B.
Onnen
Otis

Sherman
Stadum
Stowell

Valan
Wynia
Zubay

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

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

The bill was read for the 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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Carlson, D.
Carlson, L.
Clark, J.
Clark, K.
Clawson
Dahlvang
Dean
Dempsey
Den Ouden
Drew
Eken
Elioff

Ellingson
Erickson
Esau
Evans
Ewald
Fjoslien
Forsythe
Friedrich
Greenfield
Gruenes
Halberg
Hanson

Harens
Hauge
Haukoos
Heap
Heinitz
Himle
Hoberg
Hokanson
Hokr
Jacobs
Jennings
Johnson, C.

Johnson, D.
Jude
Kahn
Kaley
Kalis
Kelly
Knickerbocker
Kostohryz
Kvam
Laidig
Lehto
Lemen

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

The bill was passed and its title agreed to.

The Speaker resumed the Chair.

H. F. No. 403 was reported to the House.

Jacobs moved to amend H. F. No. 403, the first engrossment, as follows:

Page 2, line 10, after "*inspect*" insert "*pursuant to section 301.34*"

The motion prevailed and the amendment was adopted.

H. F. No. 403, A bill for an act relating to public utilities; providing for rights of shareholders of cooperative electric associations; proposing new law coded in Minnesota Statutes, Chapter 216B.

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 61 yeas and 72 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The bill was not passed, as amended.

Eken moved that the remaining bills on Special Orders for today be continued for one day. The motion prevailed.

MOTION FOR RECONSIDERATION

Simoneau moved that the vote on the Simoneau motion whereby the House acceded to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 359, be now reconsidered. The motion prevailed.

The original Simoneau motion was withdrawn.

Simoneau moved that the House accede to the request of the Senate for the appointment of a Conference Committee, that the Speaker appoint a Conference Committee of 3 members of the House and that the House requests that the Senate change the membership of the Senate Committee from 5 members to 3 members to confer on the disagreeing votes of the two Houses on S. F. No. 359. The motion prevailed.

There being no objection the order of business reverted to Reports of Chief Clerk.

REPORTS OF CHIEF CLERK

S. F. No. 1079 and H. F. No. 1223, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Reding moved that the rules be so far suspended that S. F. No. 1079 be substituted for H. F. No. 1223 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1305 and H. F. No. 1346, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Lehto moved that the rules be so far suspended that S. F. No. 1305 be substituted for H. F. No. 1346 and that the House File be indefinitely postponed. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 1079 and 1305 were read for the second time.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 817, A bill for an act relating to education; permitting the operation of single sex wrestling teams; amending Minnesota Statutes 1980, Section 126.21, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

Schoenfeld moved that the House refuse to concur in the Senate amendments to H. F. No. 817, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

H. F. No. 691, A bill for an act relating to court reporting; permitting the use of electronic recording equipment in certain district court proceedings; amending Minnesota Statutes 1980, Sec-

tions 486.02 and 486.03; and proposing new law coded in Minnesota Statutes, Chapter 484.

PATRICK E. FLAHAVEN, Secretary of the Senate

Zubay moved that the House refuse to concur in the Senate amendments to H. F. No. 691, 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.

GENERAL ORDERS

There being no objection the bills on General Orders for today were continued one day. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 817:

Schoenfeld, Reding and Weaver.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2:

Wenzel, McCarron, Levi, Vanasek and Rothenberg.

MOTIONS AND RESOLUTIONS

Reding moved that the names of Marsh and Laidig be added as authors on H. F. No. 1483. The motion prevailed

Niehaus moved that H. F. No. 108, now on General Orders, be re-referred to the Committee on Criminal Justice. The motion prevailed.

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 11:00 a.m., Tuesday, May 12, 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., Tuesday, May 12, 1981.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

