

## STATE OF MINNESOTA

## SEVENTY-SECOND SESSION - 1982

## SIXTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 4, 1982

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

Prayer was offered by Sister Mary M. Tacheny, Minnesota Catholic Conference Rural Affairs Department, St. Paul, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Aasness; Anderson, R.; Clark, J.; Dempsey; Halberg; Heap and Mehrkens were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Stumpf 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. No. 1250 and S. F. No. 429 have been placed in the members' files.

The Speaker announced that the next order of business would be election of officers.

#### ELECTION OF OFFICERS

The following names were placed in nomination :

The name of Daniel L. Kane was placed in nomination for First Assistant Chief Clerk by McCarron.

The name of Teresa Kittridge was placed in nomination for Postmaster by Jacobs.

The name of Aliceann Murphy was placed in nomination for Assistant Postmaster by Osthoff.

There being no further nominations, the Speaker declared the nominations closed.

The roll was called on the election of the officers and the following members voted for the officers:

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

The nominees, having received a majority of the votes cast, were declared duly elected to their respective offices.

#### OATH OF OFFICE

The oath of office was administered to those elected to the above offices by the Speaker.

#### PETITIONS AND COMMUNICATIONS

The following communication was received :

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

February 1, 1982

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 1982 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.<br/>No.</i> | <i>H.F.<br/>No.</i> | <i>Session Laws<br/>Chapter No.</i> | <i>Date Approved<br/>1982</i> | <i>Date Filed<br/>1982</i> |
|---------------------|---------------------|-------------------------------------|-------------------------------|----------------------------|
| 1150                |                     | 371                                 | January 29                    | January 29                 |
|                     | 1693                | Resolution 4                        | January 29                    | January 29                 |

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

#### REPORTS OF STANDING COMMITTEES

Nelson, K., from the Committee on Energy to which was referred:

H. F. No. 451, A bill for an act relating to energy; modifying certain need certification criteria; amending Minnesota Statutes 1980, Section 116H.13, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1981 Supplement, Section 116H.13, Subdivision 3, is amended to read:

Subd. 3. No proposed large energy facility shall be certified for construction unless the applicant has justified its need. In assessing need, the commissioner shall evaluate:

(1) The accuracy of the long range energy demand forecasts on which the necessity for the facility is based;

(2) The effect of existing or possible energy conservation programs under sections 116H.01 to 116H.15 or other federal or state legislation on long term energy demand;

(3) The relationship of the proposed facility to overall state energy needs, as described in the most recent state energy policy and conservation report prepared pursuant to section 116H.11;

(4) Promotional activities which may have given rise to the demand for this facility;

(5) Socially beneficial uses of the output of this facility, including its uses to protect or enhance environmental quality;

(6) The effects of the facility in inducing future development;

(7) Possible alternatives for satisfying the energy demand including but not limited to potential for increased efficiency of existing energy generation facilities;

(8) The policies, rules and regulations of other state and federal agencies and local governments; (AND)

(9) Any feasible combination of energy conservation improvements, required by the public utilities commission pursuant to section 216B.241, that can (a) replace part or all of the energy to be provided by the proposed facility, and (b) compete with it economically; and

(10) *For electric power generating plants:*

(a) *The recent and projected surplus capacity in the applicant's area power pool and other regional power pools with sufficient interchange capabilities; and*

(b) *The appropriateness of the applicant's reserve margin.*

*Clause (10) does not apply to a certificate of need application submitted before the effective date of this act.*

Sec. 2. Minnesota Statutes 1981 Supplement, Section 116H.13, is amended by adding a subdivision to read:

*Subd. 3a. The commissioner shall not certify the construction of electric power generating plants unless the commissioner finds that the applicant's need cannot be met by feasible and prudent power exchanges from other electricity producers. Rules shall not be promulgated to further specify this criteria.*

*This subdivision does not apply to a certificate of need application submitted before the effective date of this act.*

Sec. 3. [EFFECTIVE DATE.]

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

Amend the title as follows:

Page 1, line 4, delete "1980" and insert "1981 Supplement" and after "116H.13," insert "Subdivision 3, and"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 879, A bill for an act relating to juveniles; authorizing imposition of fines and other dispositions for children adjudicated delinquent for offenses relating to controlled substances and intoxicating liquors; amending Minnesota Statutes 1980, Sections 152.15, by adding a subdivision; 340.035, Subdivision 2, and by adding a subdivision; 340.73, Subdivision 3, and by adding a subdivision; and 340.732.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 260.015, Subdivision 5, is amended to read:

Subd. 5. "Delinquent child" means a child:

(a) Who has violated any state or local law (OR ORDINANCE), except as provided in section 260.193, subdivision 1,

*section 2, and except for juvenile petty offenses, running away, and habitual truancy; or*

(b) Who has violated a federal law or a law of another state and whose case has been referred to the juvenile court (; OR) *if the violation would be an act of delinquency if committed in this state or a crime or offense if committed by an adult.*

((C) WHO IS HABITUALLY TRUANT FROM SCHOOL;  
OR)

((D) WHO IS UNCONTROLLED BY HIS PARENT, GUARDIAN, OR OTHER CUSTODIAN BY REASON OF BEING WAYWARD OR HABITUALLY DISOBEDIENT.)

Sec. 2. Minnesota Statutes 1980, Section 260.015, is amended by adding subdivisions to read:

Subd. 19. [HABITUAL TRUANT.] *"Habitual truant" means a child under the age of 16 years absenting himself or herself from attendance at school without lawful excuse for seven school days if the child is in elementary school or for one or more class periods on seven school days if the child is in middle school, junior high school, or high school.*

Subd. 20. [RUNAWAY.] *"Runaway" means an unmarried child under the age of 18 years who absents himself or herself from the home of his or her parent or other lawful placement without the consent of his or her parent, guardian, or lawful custodian.*

Subd. 21. [JUVENILE PETTY OFFENDER; JUVENILE PETTY OFFENSE.] *A "juvenile petty offense" is a violation of section 609.685 or violation of a local ordinance, other than a juvenile alcohol or controlled substance offense, which by its terms prohibits conduct by a child under the age of 18 years which would be lawful conduct if committed by an adult or where a child is uncontrolled by his or her parent, guardian, or other custodian by reason of being wayward or habitually disobedient. A child who commits a juvenile petty offense is a "juvenile petty offender."*

Subd. 22. [JUVENILE ALCOHOL OFFENDER.] *"Juvenile alcohol offender" means a child who violates section 340.035, subdivision 1, clause (4), (5), or (6) or section 340.731.*

Subd. 23. [JUVENILE CONTROLLED SUBSTANCE OFFENDER.] *"Juvenile controlled substance offender" means a child who violates section 152.09, subdivision 1, clause (2) with respect to a small amount of marijuana.*

Sec. 3. Minnesota Statutes 1980, Section 260.111, Subdivision 1, is amended to read:

Subdivision 1. [CHILDREN WHO ARE DELINQUENT, NEGLECTED, DEPENDENT OR NEGLECTED AND IN FOSTER CARE.] Except as provided in sections 260.125 and 260.193, the juvenile court has original and exclusive jurisdiction in proceedings concerning any child who is alleged to be delinquent, a juvenile traffic offender, a *juvenile petty offender*, an *habitual truant*, a *runaway*, a *juvenile alcohol or controlled substance offender*, neglected, neglected and in foster care, or dependent, and in proceedings concerning any minor alleged to have been a delinquent, an *habitual truant*, a *runaway*, a *juvenile petty offender*, or a *juvenile alcohol or controlled substance offender* or a juvenile traffic offender prior to having become 18 years of age. The juvenile court shall deal with such a minor as it deals with any other child who is alleged to be delinquent or a juvenile traffic offender.

Sec. 4. Minnesota Statutes 1980, Section 260.121, Subdivision 1, is amended to read:

Subdivision 1. Except where otherwise provided, venue for any proceedings under section 260.111 shall be in the county where the child is found, or the county of his residence. When it is alleged that a child is neglected, venue may be in the county where the child is found, in the county of his residence, or in the county where the alleged neglect occurred. If delinquency, *habitual truancy*, *running away*, a *juvenile petty offense*, a *juvenile alcohol or controlled substance offense*, or a juvenile traffic offense is alleged, proceedings shall be brought in the county of his residence or the county where the alleged delinquency, *habitual truancy*, *running away*, *juvenile petty offense*, *juvenile alcohol or controlled substance offense* or juvenile traffic offense occurred.

Sec. 5. Minnesota Statutes 1980, Section 260.121, Subdivision 2, is amended to read:

Subd. 2. The judge of the juvenile court may transfer any proceedings brought under section 260.111, except adoptions, to the juvenile court of a county having venue as provided in subdivision 1, at any stage of the proceedings and in the following manner. When it appears that the best interests of the child, society, or the convenience of proceedings will be served by a transfer, the court may transfer the case to the juvenile court of the county of the child's residence. With the consent of the receiving court, the court may also transfer the case to the juvenile court of the county where the child is found or, if delinquency, *habitual truancy*, *running away*, a *juvenile petty offense*, *juvenile alcohol or controlled substance offense* or a juvenile traffic offense is alleged, to the county where the alleged delinquency, *habitual truancy*, *running away*, *juvenile petty offense*, *juvenile alcohol or controlled substance offense* or juvenile traffic offense occurred. The court transfers the case by ordering a continuance and by forwarding to the clerk of the appropriate

juvenile court a certified copy of all papers filed, together with an order of transfer. The judge of the receiving court may accept the findings of the transferring court or he may direct the filing of a new petition or notice under section 6 or 11 and hear the case anew.

**Sec. 6. [260.132] [PROCEDURE; HABITUAL TRUANTS, RUNAWAYS, JUVENILE PETTY OFFENDERS.]**

*Subdivision 1. [NOTICE.] When a peace officer, or attendance officer in the case of an habitual truant, has probable cause to believe that a child is a runaway, an habitual truant, or a juvenile petty offender, the officer may issue a notice to the child to appear in juvenile court in the county in which the child is found or in the county of his residence or, in the case of a juvenile petty offense, the county in which the offense was committed. The officer shall file a copy of the notice to appear with the juvenile court of the appropriate county. If a child fails to appear in response to the notice provided by this subdivision, the court may issue a summons notifying the child of the nature of the offense alleged and the time and place set for the hearing. If the peace officer finds it necessary to take the child into custody, sections 260.165 and 260.171 shall apply.*

*Subd. 2. [EFFECT OF NOTICE.] Filing with the court a notice to appear containing the name and address of the child, specifying the offense alleged and the time and place it was committed, shall have the effect of a petition giving the juvenile court jurisdiction. In the case of running away, the place where the offense was committed may be stated in the notice as either the child's custodial parent's or guardian's residence or lawful placement or where the child was found by the officer. In the case of truancy, the place where the offense was committed may be stated as the school or the place where the child was found by the officer.*

*Subd. 3. [NOTICE TO PARENT.] Whenever a notice to appear or petition is filed alleging that a child is a runaway, an habitual truant, or a juvenile petty offender, the court shall summon and notify the person or persons having custody or control of the child of the nature of the offense alleged and the time and place of hearing. This summons and notice shall be served in the time and manner provided in section 260.135, subdivision 1.*

**Sec. 7.** Minnesota Statutes 1980, Section 260.151, is amended to read:

**260.151 [INVESTIGATION; PHYSICAL AND MENTAL EXAMINATION.]**

**Subdivision 1.** Upon request of the court the county welfare board or probation officer shall investigate the personal and



family history and environment of any minor coming within the jurisdiction of the court under section 260.111 and shall report its findings to the court. The court may order any minor coming within its jurisdiction to be examined by a duly qualified physician, psychiatrist, or psychologist appointed by the court. With the consent of the commissioner of corrections and agreement of the county to pay the costs thereof, the court may, by order, place a minor coming within its jurisdiction in an institution maintained by the commissioner for the detention, diagnosis, custody and treatment of persons adjudicated to be delinquent, *an habitual truant, a runaway, a juvenile petty offender, or a juvenile alcohol or controlled substance offender* in order that the condition of the minor be given due consideration in the disposition of the case. Adoption investigations shall be conducted in accordance with the laws relating to adoptions. Any funds received under the provisions of this subdivision or under the provisions of section 260.175, clause (d) shall not cancel until the end of the fiscal year immediately following the fiscal year in which the funds were received. The funds are available for use by the commissioner of corrections during that period, and are hereby appropriated annually to the commissioner of corrections as reimbursement of the costs of providing these services to the juvenile courts.

Subd. 2. The court may proceed as described in subdivision 1 only after a petition has been filed and, in delinquency, *habitual truancy, runaway, juvenile petty offender, or juvenile alcohol or controlled substance offender* cases, after the child has appeared before the court or a court appointed referee and has been informed of the allegations contained in the petition. However, when the child denies before the court or court appointed referee that he is delinquent, *an habitual truant, a runaway, or a juvenile petty offender, or juvenile alcohol or controlled substance offender*, the investigation or examination shall not be conducted before a hearing has been held as provided in section 260.155.

Sec. 8. Minnesota Statutes 1980, Section 260.155, Subdivision 1, is amended to read:

Subdivision 1. [GENERAL.] Except for hearings arising under section 260.261, hearings on any matter shall be without a jury and may be conducted in an informal manner. The rules of evidence promulgated pursuant to section 480.0591 and the law of evidence shall apply in adjudicatory proceedings involving a child alleged to be delinquent, *an habitual truant, a runaway, a juvenile petty offender, or a juvenile alcohol or controlled substance offender*, and hearings conducted pursuant to section 260.125 except to the extent that the rules themselves provide that they do not apply. Hearings may be continued or adjourned from time to time and, in the interim, the court may make such orders as it deems in the best interests of the minor in accordance with the provisions of sections 260.011 to 260.301.

The court shall exclude the general public from these hearings and shall admit only those persons who, in the discretion of the court, have a direct interest in the case or in the work of the court. In all delinquency cases a person named in the charging clause of the petition as a person directly damaged in person or property shall be entitled, upon request, to be notified by the clerk of court in writing, at his last known address, of (1) the date of the reference or adjudicatory hearings, and (2) the disposition of the case. Adoption hearings shall be conducted in accordance with the provisions of laws relating to adoptions.

Sec. 9. Minnesota Statutes 1980, Section 260.173, Subdivision 3, is amended to read:

Subd. 3. If the child had been taken into custody and detained as one who is alleged to be delinquent, *an habitual truant, a runaway, a juvenile petty offender, or a juvenile alcohol or controlled substance offender* by reason of:

(a) (BEING UNCONTROLLED BY HIS PARENT, GUARDIAN, OR OTHER CUSTODIAN BECAUSE OF WAYWARDNESS OR HABITUAL DISOBEDIENCE; OR)

((B)) Having committed an offense which would not constitute a violation of a state law or local ordinance if he were an adult; or

((C)) (b) Having been previously adjudicated delinquent, *habitually truant, a runaway, a juvenile petty offender, or a juvenile alcohol or controlled substance offender*, or conditionally released by the juvenile court without adjudication (OF DELINQUENCY), has violated his probation, parole, or other field supervision under which he had been placed as a result of behavior described in this subdivision; he may be placed only in a shelter care facility.

Sec. 10. [260.192] [DISPOSITIONS; CHILDREN WHO ARE HABITUALLY TRUANT, RUNAWAYS, OR JUVENILE PETTY OFFENDERS.]

*Subdivision 1. [DISPOSITIONS PERMITTED.] If the court finds that the child is an habitual truant, a runaway, or a juvenile petty offender, it shall enter an order making any of the following dispositions of the case which it deems necessary to the rehabilitation of the child:*

(a) *Counsel the child or his parents, guardian, or custodian;*

(b) *Place the child under the supervision of a probation officer or other suitable person in the child's own home under conditions prescribed by the court, including reasonable rules for the child's conduct and the conduct of his parents, guardian,*

*or custodian, designed for the physical, mental, and moral well-being and behavior of the child; or with consent of the commissioner of corrections, in a group foster care facility which is under the commissioner's management and supervision;*

*(c) Subject to the supervision of the court, transfer legal custody of the child to one of the following:*

*(1) A child placing agency; or*

*(2) The county welfare board; or*

*(3) A reputable individual of good moral character. No person may receive custody of two or more unrelated children unless he or she is licensed as a residential facility pursuant to sections 245.781 to 245.813; or*

*(4) A county probation officer for placement in a group foster home established under the direction of the juvenile court and licensed pursuant to section 241.021;*

*(d) Require the child to pay a fine of up to \$100; the court shall order payment of the fine in a manner that will not impose undue financial hardship upon the child, and may impose an installment payment schedule for this purpose;*

*(e) If the child is in need of special treatment and care for his physical or mental health, the court may order the child's parent, guardian, or custodian to provide it. If the parent, guardian, or custodian fails to provide this treatment or care, the court may order it provided;*

*(f) Require the child to participate in a community service project;*

*(g) Order the child to undergo a chemical dependency evaluation and if warranted by the evaluation, order participation by the child in a drug awareness program, or an inpatient or outpatient chemical dependency treatment program;*

*(h) Require the child to perform any other activities or participate in any other treatment programs deemed appropriate by the court;*

*(i) If the court believes that it is in the best interests of the child and of public safety that the child's driver's license be cancelled, the court may recommend to the commissioner of public safety that the child's license be cancelled for any period up to the child's 18th birthday, and the commissioner is hereby authorized to cancel the license without a hearing. At any time before the expiration of the period of cancellation, the court may, for good cause, recommend to the commissioner of public safety that*

*the child be authorized to apply for a new license, and the commissioner may so authorize.*

*Any order for a disposition authorized by this section shall contain written findings of fact to support the disposition ordered, and shall also set forth in writing the following information:*

*(a) Why the best interests of the child are served by the disposition ordered; and*

*(b) What alternative dispositions were considered by the court and why those dispositions were not appropriate in the instant case.*

*Subd. 2. [EXPUNGEMENT.] The court may expunge the adjudication of a child as an habitual truant, a runaway, or juvenile petty offender at any time it deems advisable.*

*Subd. 3. [CONTINUANCE.] When it is in the best interests of the child to do so and when the child has admitted the allegations contained in the notice before the judge or referee, or when a hearing has been held as provided for in section 260.155 and the allegations contained in the notice have been duly proven but, in either case, before a finding of habitual truancy, running away, or juvenile petty offense has been entered, the court may continue the case for a period not to exceed 90 days, and only after the court has reviewed the case and entered its order for an additional continuance without a finding of habitual truancy, running away, or petty juvenile offense.*

*Subd. 4. [SUPERVISION; DURATION; RENEWAL.] All orders for supervision under subdivision 1, clause (b) shall be for an indeterminate period unless otherwise specified by order of the court, and shall be reviewed by the court at least annually. All orders under subdivision 1, clause (c) shall be for a specified length of time set by the court. However, before an order has expired and upon the court's own motion or that of any interested party, the court has continuing jurisdiction to renew the order or, after notice to the parties and a hearing, make some other disposition of the case, until the individual is no longer a minor. Any person to whom legal custody is transferred shall report to the court in writing at such periods as the court may direct.*

*Subd. 5. [TRANSFER OF CUSTODY; REPORT.] When the court transfers legal custody of a juvenile petty offender, an habitual truant, or a runaway child to a licensed child placing agency or county welfare board, it shall transmit with the order transferring legal custody a copy of its findings and a summary of its information concerning the child.*

**Sec. 11. [260.194] [JUVENILE ALCOHOL OR CONTROLLED SUBSTANCE OFFENDER; PROCEDURES; DISPOSITIONS.]**

*Subdivision 1. [ADJUDICATION.] A child who violates section 340.035, subdivision 1, clause (4), (5), or (6), section 340.731 with respect to alcohol, section 152.09, subdivision 1, clause (2) with respect to a small amount of marijuana, or local ordinance equivalent therewith, shall be adjudicated a "juvenile alcohol offender or juvenile controlled substance offender," and shall not be adjudicated delinquent, unless, as in the case of any other child alleged to be delinquent, a petition is filed in the manner provided in section 260.131, summons issued, notice given, a hearing held, and the court finds as a further fact that the child is also delinquent within the meaning and purpose of the laws related to juvenile courts.*

*Subd. 2. [PROCEDURE.] When a peace officer has probable cause to believe that a child has committed a violation of section 340.035, subdivision 1, clause (4), (5), or (6), section 340.731, section 152.09, subdivision 1, clause (2) with respect to a small amount of marijuana, or local ordinance equivalent therewith, the officer may issue a notice to the child to appear in juvenile court in the county in which the alleged violation occurred. The officer shall file a copy of the notice to appear with the juvenile court of the county in which the alleged violation occurred. Filing with the court a notice to appear containing the name and address of the child who is alleged to have committed a violation of section 340.035, subdivision 1, clause (4), (5), or (6), section 340.731, section 152.09, subdivision 1, clause (2), with respect to a small amount of marijuana, or local ordinance equivalent therewith, as specifying the offense charged, and the time and place of the alleged violation shall have the effect of a petition giving the juvenile court jurisdiction. Any reputable person having knowledge of a child's violation of section 340.035, subdivision 1, clause (4), (5), or (6), section 340.731, section 152.09, subdivision 1, clause (2), with respect to a small amount of marijuana, or local ordinance equivalent therewith, may petition the juvenile court in the manner provided in section 260.131. Whenever a notice to appear or petition is filed alleging that a child has violated section 340.035, subdivision 1, clause (4), (5), or (6), section 340.731, section 152.09, subdivision 1, clause (2), with respect to a small amount of marijuana, or local ordinance equivalent therewith, the court shall summon and notify the person or persons having custody or control of the child of the nature of the offense charged and the time and place of hearing. This summons and notice shall be served in the time and manner provided in section 260.135, subdivision 1. If a child fails to appear in response to the notice provided by this subdivision, the court may issue a summons notifying the child of the nature of the offense alleged and the time and place set for the hearing. If the peace officer finds it necessary to take the child into custody, sections 260.165 and 260.171 shall apply.*

*Subd. 3. [DISPOSITIONS.] If the juvenile court finds that a child has violated section 340.035, subdivision 1, clause (4),*

(5), or (6), section 340.731, section 152.09, subdivision 1, clause (2) with respect to a small amount of marijuana, or local ordinance equivalent therewith, the court may require the child to:

- (a) Pay a fine of up to \$100;
- (b) Participate in a community service project;
- (c) Participate in a drug awareness program; or

(d) Order the child to undergo a chemical dependency evaluation and if warranted by this evaluation, order participation by the child in an inpatient or outpatient chemical dependency treatment program; or

(e) Perform any other activities or participate in any other treatment programs deemed appropriate by the court.

None of the dispositional alternatives described in this subdivision shall be imposed by the court in a manner which would cause an undue hardship upon the child.

**Subd. 4. [ALTERNATIVE DISPOSITION.]** In addition to dispositional alternatives authorized by subdivision 3, in the case of a third or subsequent finding by the court pursuant to an admission in court or after trial that a child has committed an offense in violation of sections 340.035, subdivision 1, clause (4), (5), or (6), section 340.731, with respect to alcohol, section 152.09, subdivision 1, clause (2), with respect to a small amount of marijuana, or local ordinance equivalent therewith, the juvenile court shall order a chemical dependency evaluation of the child and if warranted by the evaluation, the court may order participation by the child in an inpatient or outpatient chemical dependency treatment program, or any other treatment deemed appropriate by the court.

**Subd. 5. [FINDINGS REQUIRED.]** Any order for disposition authorized by this section shall contain written findings of fact to support the disposition ordered, and shall also set forth in writing the following information:

- (a) Why the best interests of the child are served by the disposition ordered; and
- (b) What alternative dispositions were considered by the court and why those dispositions were not appropriate in the instant case.

**Subd. 6. [EXPUNGEMENT.]** The court may expunge the adjudication of a child as a juvenile alcohol or controlled substance offender at any time it deems advisable.

## Sec. 12. [EFFECTIVE DATE.]

*Sections 1 to 11 are effective August 1, 1982 and apply to proceedings commenced on and after that date."*

Delete the title and insert:

"A bill for an act relating to juveniles; removing certain children from definition of "delinquent child"; defining "runaway," "habitual truant," "juvenile petty offender," "juvenile alcohol or controlled substance offender"; simplifying certain pleading and notice procedures; providing hearing rights and dispositional alternatives; amending Minnesota Statutes 1980, Sections 260.015, Subdivision 5, and by adding subdivisions; 260.111, Subdivision 1; 260.121, Subdivisions 1 and 2; 260.151; 260.155, Subdivision 1; and 260.173, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 260."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1283, A bill for an act relating to limitation of actions; providing a five year statute of limitations for criminal sexual offenses; tolling the statute of limitations for victims of criminal sexual conduct; amending Minnesota Statutes 1980, Section 628.26.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 628.26, is amended to read:

## 628.26 [LIMITATIONS.]

(a) *Indictments or complaints* for murder may be found or made at any time after the death of the person killed (;).

(b) *Indictments or complaints* for violation of section 609.42, subdivision 1, clauses (1) or (2) shall be found or made and filed in the proper court within six years after the commission of the offense (;).

(c) *Indictments or complaints* for violation of sections 609.3641 to 609.3644, or for violation of sections 609.342 to 609.345 if the victim and the actor were in a familial relationship as defined in section 609.364, subdivision 9 at the time the offense

*was committed, shall be found or made and filed in the proper court within 7 years after the commission of the offense.*

(d) In all other cases, indictments or complaints shall be found or made and filed in the proper court within three years after the commission of the offense; but the time during which the defendant shall not be an inhabitant of, or usually resident within, this state, shall not constitute any part of the limitations imposed by this section.

Sec. 2. [EFFECTIVE DATE.]

*Section 1 is effective August 1, 1982 and applies to offenses committed on and after August 1, 1982."*

Delete the title and insert:

"A bill for an act relating to crimes; lengthening the statute of limitations for prosecutions for certain crimes; amending Minnesota Statutes 1980, Section 628.26."

With the recommendation that when so amended the bill pass.

The report was adopted.

Jacobs from the Committee on Regulated Industries to which was referred:

H. F. No. 1479, A bill for an act relating to public utilities; prohibiting city jurisdiction over securities or indebtedness of a utility; amending Minnesota Statutes 1980, Sections 216B.36; and 216B.49, Subdivision 5.

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

The report was adopted.

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

H. F. No. 1546, A bill for an act relating to juveniles; providing for the detention of juveniles for whom a motion to refer for prosecution is pending before the court; amending Minnesota Statutes 1980, Section 260.173, Subdivision 4.

Reported the same back with the following amendments:

Page 2, line 20, delete "more than" and insert "up to"



With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1573, A bill for an act relating to crimes; prohibiting the sale, transfer and delivery of simulated controlled substances; prohibiting their sale, transfer and delivery; providing penalties; amending Minnesota Statutes 1980, Sections 152.09, Subdivision 1; 152.15, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 152.

Reported the same back with the following amendments :

Page 1, line 13, after the first "to" insert "manufacture,"

Page 2, after line 12, insert :

*"Subd. 3. [EXEMPTION.] Prescribing and dispensing of placebos by licensed practitioners and licensed pharmacists is exempt from prosecution under this section."*

Page 2, line 24, after "(3)" insert "manufacture,"

Page 2, line 29, after "by" insert "manufacturing,"

Amend the title as follows :

Page 1, line 2, after "the" insert "manufacture,"

Page 1, line 4, after "their" insert "manufacture,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Governmental Operations to which was referred :

H. F. No. 1579, A bill for an act relating to state lands; providing for the conveyance of certain land to the city of Brainerd.

Reported the same back with the following amendments :

Page 1, line 8, after "administration" insert "and upon approval by the community college board"

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Governmental Operations to which was referred:

H. F. No. 1580, A bill for an act relating to state lands; providing for the conveyance of certain tax forfeited lands.

Reported the same back with the following amendments:

Page 1, line 13, after "20" insert "*subject to existing easements for Trunk Highway 73*"

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

The report was adopted.

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

H. F. No. 1587, A bill for an act relating to peace officers; providing for appointment of peace officers, constables and deputy constables in towns; requiring towns to notify the peace officers standards and training board before employing law enforcement officers; amending Minnesota Statutes 1980, Sections 367.03, Subdivisions 1, 2, and 3; 367.22; 367.40, Subdivisions 3 and 4; 367.41; Minnesota Statutes 1981 Supplement, Section 367.42, Subdivision 1; repealing Minnesota Statutes 1981 Supplement, Section 382.28.

Reported the same back with the following amendments:

Page 2, line 27, after "(PROCEDURE)" insert "*to authorize the town board*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1610, A bill for an act relating to juveniles; expanding definition of "dependent child;" defining "serious juvenile offender;" permitting jury trials for and jailing of "serious juvenile offenders;" describing relevant evidence in contributing to delinquency cases; requiring reports to justify out of state placement of children; increasing parents' liability for willful and

malicious injury caused by their child; prescribing penalties; amending Minnesota Statutes 1980, Sections 260.015, Subdivision 6 and by adding a subdivision; 260.155, Subdivisions 1 and 2, and by adding a subdivision; 260.185, Subdivision 1, and by adding a subdivision; 260.315; and 540.18, Subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 260.015, Subdivision 5, is amended to read:

Subd. 5. "Delinquent child" means a child:

(a) Who has violated any state or local law or ordinance (, EXCEPT AS PROVIDED IN SECTION 260.193, SUBDIVISION 1);

(b) Who has violated a federal law or a law of another state and whose case has been referred to the juvenile court; or

(c) Who is habitually truant from school; or

(d) Who is uncontrolled by his parent, guardian, or other custodian by reason of being wayward or habitually disobedient.

Sec. 2. Minnesota Statutes 1980, Section 260.015, Subdivision 6, is amended to read:

Subd. 6. [DEPENDENT CHILD.] "Dependent child" means a child:

(a) Who is without a parent, guardian, or other custodian; or

(b) Who is in need of special care and treatment required by his physical or mental condition and whose parent, guardian, or other custodian is unable to provide it; or

(c) Whose parent, guardian, or other custodian for good cause desires to be relieved of his care and custody; or

(d) Who is without proper parental care because of the emotional, mental, or physical disability, or state of immaturity of his parent, guardian, or other custodian; *or whose parent, guardian, or other custodian has failed or refused to obey an order made pursuant to section 260.185, subdivision 1, clause (a) or (g).*

Sec. 3. Minnesota Statutes 1980, Section 260.155, Subdivision 1, is amended to read:

Subdivision 1. [GENERAL.] Except for hearings arising under section 260.261, hearings on any matter shall be without a jury and may be conducted in an informal manner. The rules of evidence promulgated pursuant to section 480.0591 and the law of evidence shall apply in adjudicatory proceedings involving a child alleged to be delinquent and hearings conducted pursuant to section 260.125 except to the extent that the rules themselves provide that they do not apply. Hearings may be continued or adjourned from time to time and, in the interim, the court may make such orders as it deems in the best interests of the minor in accordance with the provisions of sections 260.011 to 260.301. The court shall exclude the general public from these hearings and shall admit only those persons who, in the discretion of the court, have a direct interest in the case or in the work of the court. In all delinquency cases a *natural* person named in the charging clause of the petition as a person directly damaged in person or property shall be entitled (, UPON REQUEST,) to be notified by the clerk of court in writing, *unless he or she otherwise requests*, at his last known address, of (1) the date of the reference or adjudicatory hearings, and (2) the disposition of the case *and that he may attend proceedings other than the disposition hearing, except where it is necessary that he be sequestered as a witness*. Adoption hearings shall be conducted in accordance with the provisions of laws relating to adoptions.

Sec. 4. [260.197] [OUT OF STATE PLACEMENTS.]

Subdivision 1. [PLACEMENT RESTRICTIONS.] *Except where a child is placed in the home of a relative, no child shall be placed by the juvenile court outside of the state of Minnesota if all or a part of the cost of the placement will be paid by the state of Minnesota or a county within this state, unless the court finds that the child has serious medical or psychological problems for which no treatment program, adequate for the child's needs and the public safety, exists in this state and the out-of-state placement is for the purpose of obtaining this treatment, or where there is no facility or program in this state adequate for the child's needs within a reasonable distance from the child's parent's or guardian's home.*

Subd. 2. [FINDINGS, REPORT.] *Whenever a placement of a child outside of the state of Minnesota is made pursuant to subdivision 1, the court shall make written findings of fact and conclusions of law on the issue of the necessity for the out-of-state placement. The court shall send a copy of these findings and conclusions to the commissioner of public welfare along with a report stating the length of anticipated placement, program costs, and the name and location of the program or institution where the child is placed. Any information contained in the findings and conclusions or report identifying a particular child are*

*confidential and may be disclosed by the commissioner of public welfare only by order of the juvenile court. Any person violating this subdivision by releasing confidential information is guilty of a misdemeanor.*

Sec. 5. [260.199] [TRAFFIC OFFENSES.]

*Subdivision 1. [TRAFFIC OFFENSE; DEFINITION.] For purposes of this section, "traffic offense" means any violation of a state or local traffic law, ordinance, or regulation, or a federal, state, or local water traffic law or ordinance.*

*Subd. 2. [TRAFFIC VIOLATIONS; JURISDICTION.] A child who commits a traffic offense and at the time of the offense was 15 years old or older shall be subject to the laws and court procedures governing adult traffic violators, except that the court shall not commit a juvenile traffic offender to serve any imprisonment sentence unless the court finds that the child has committed one or more major traffic violations and that the welfare of the child or the public safety would be better served by service of an imprisonment sentence than by other dispositions available to the court, and the juvenile traffic offender shall not be under the jurisdiction of the juvenile court. A child under the age of 15 years who commits a traffic offense shall be under the jurisdiction of the juvenile court.*

Sec. 6. Minnesota Statutes 1980, Section 260.315, is amended to read:

260.315 [CONTRIBUTING TO NEGLECT OR DELINQUENCY.]

*Subdivision 1. [ACTS CONSTITUTING.] Any person who by act, word or omission encourages, causes or contributes to the neglect or delinquency of a child, and (SUCH) the act, word or omission is not by other provisions of law declared to be a felony, shall be guilty of a misdemeanor. A person may be charged and convicted under this section although the child involved is not the subject of a delinquency or neglect proceeding.*

*Subd. 2. [EVIDENCE.] In determining whether a person has contributed to the neglect or delinquency of a minor, the court may consider evidence, including but not limited to the following:*

*(a) That the person harbored the child within the person's home for more than 24 hours, with knowledge that the child did not have his parent's, guardian's, or other custodian's consent to be there, without making a reasonable effort to notify the child's parent, guardian, or other custodian of the child's whereabouts;*

(b) *That the person charged intentionally assisted the child to absent from his or her home or other lawful placement without the consent of the child's parent, guardian, or other custodian by providing the child with transportation, food, shelter, or financial assistance to enable the child to absent.*

*Clauses (a) and (b) shall not apply to a shelter for runaways licensed by the commissioner of public welfare, which makes a reasonable effort to notify the parent or guardian of a runaway child within 24 hours after the child arrives at the shelter. A licensed shelter for runaways is not required to transport a child to his or her parents or to refuse shelter to a child even if the child's parent refuses to consent to the child's remaining at the shelter, but may permit the parent to remove the child from the shelter.*

*Subd. 3. [DEFENSE.] If the wrongful conduct alleged as contributing to delinquency is harboring a child without the parent's, guardian's, or custodian's consent, it shall be a defense to a charge of contributing to the delinquency of a child that the person charged harbored the child in the person's home solely because the person reasonably believed that the child had been physically or sexually abused by the child's parent, guardian or other custodian; or by a person known to the parent, guardian, or other custodian and the parent, guardian, or other custodian failed or refused to report the abuse to proper authorities.*

**Sec. 7. Minnesota Statutes 1980, Section 540.18, is amended to read:**

**Subdivision 1.** The parent or guardian of the person of a minor who is under the age of 18 and who is living with the parent or guardian and who willfully or maliciously causes injury to any person or damage to any property is jointly and severally liable with such minor for such injury or damage to an amount not exceeding (\$500) *\$1,000*, if (SUCH) *the* minor would have been liable for (SUCH) *the* injury or damage if he had been an adult. Nothing in this subdivision shall be construed to relieve (SUCH) *the* minor from personal liability for (SUCH) *the* injury or damage. The liability provided in this subdivision is in addition to and not in lieu of any other liability which may exist at law. Recovery under this section shall be limited to special damages.

*Subd. 1a. [TOTAL LIABILITY.] The liability limit of \$1,000 in subdivision 1 means that the combined liability of both parents or all guardians in the case where the child is living with two parents or more than one guardian at the time of the injury shall not exceed \$1,000.*

*Subd. 1b. [ACCESS TO JUVENILE COURT RECORDS.] Notwithstanding the provisions of section 260.161, except when*

*an action is brought in conciliation court, a person who brings an action or asserts a counterclaim or cross-claim against a person for civil damages under subdivision 1 may make a motion to the court in which the action was filed for permission to inspect the juvenile court records, if any, relating to the act which caused the injury for which the civil damages are claimed. The juvenile court shall make these records available to the court in which the civil action is pending, or certify to the court that no such record exists. The court in which the civil action is pending shall make an in camera inspection of those records and determine whether or not the interests of justice require that all or a portion of those records be disclosed to the moving party to obtain evidence to prove his or her claim or defense.*

*If the court decides that all or a portion of the juvenile court records should be disclosed to the moving party, the court may make any protective order it deems necessary to protect the confidentiality of the contents of the records.*

*Any person who obtains access to a juvenile court record pursuant to this subdivision shall not disclose any portion of its contents to any other person except as the court may authorize. The court shall not authorize disclosure to any person other than the parties to the civil action and their attorneys.*

*Any person who makes a disclosure not authorized by the court pursuant to this section is guilty of a misdemeanor.*

Subd. 2. This section shall not apply to persons having custody or charge of any minor under the authority of the welfare or corrections department of the state.

Sec. 8. [REPEALER.]

*Minnesota Statutes 1980, Section 260.193 is repealed."*

Delete the title and insert:

"A bill for an act relating to juveniles; expanding definition of "dependent child;" expanding the rights of victims of juvenile delinquency; restricting out-of-state placements of children; making juvenile traffic offenders subject to the same legal consequences and rights as adults; providing evidentiary standards for contributing to delinquency or neglect; increasing parental liability of minors willful or malicious conduct; amending Minnesota Statutes 1980, Sections 260.015; Subdivisions 5 and 6; 260.155, Subdivision 1; 260.315; and 540.18; proposing new law coded in Minnesota Statutes, Chapter 260; repealing Minnesota Statutes 1980, Section 260.193."

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Governmental Operations to which was referred:

H. F. No. 1635, A bill for an act relating to state lands; authorizing sale and conveyance of a certain tract of state lands to Bethlehem Lutheran Church of Waskish, Minnesota.

Reported the same back with the following amendments:

Page 1, delete lines 14 to 22 and insert:

*"A tract in Government Lot 3, Section 8, Township 154 North, Range 30 West beginning 100 feet North of the South boundary of Government Lot 3 on the East right-of-way line of State Trunk Highway 72; thence Northerly 200 feet along said highway; thence East to the Westerly right-of-way of old Trunk Highway 72; thence Southerly 200 feet along said right-of-way line; thence Westerly to the point of beginning."*

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

The report was adopted.

Mann from the Committee on Transportation to which was referred:

H. F. No. 1641, A bill for an act relating to the city of Lakeville; authorizing advances of cash or engineering services, or both, by the city of Lakeville to the commissioner of transportation to expedite construction and improvement on a certain trunk highway within the city of Lakeville; authorizing the commissioner of transportation, by contract, to accept the advances and repay the advances from the trunk highway fund.

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

The report was adopted.

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

H. F. No. 1724, A bill for an act relating to Independent School District No. 507, Nicollet; authorizing a transfer of funds collected by referendum levy to reduce statutory operating debt.



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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 1786, A bill for an act relating to agriculture; changing certain procedures relating to fertilizers and soil and plant amendments; imposing a penalty; amending Minnesota Statutes 1980, Sections 17.713, by adding a subdivision; 17.721, Subdivision 2; and 17.728, as amended; Minnesota Statutes 1981 Supplement, Sections 17.713, Subdivisions 8, 12, 17a, and 20; 17.714, Subdivision 2; 17.716, Subdivision 6; 17.719, Subdivision 1, and by adding a subdivision; 17.721, Subdivision 1; 17.725, Subdivision 1; and 17.726; proposing new law coded in Minnesota Statutes, Chapter 17.

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

The report was adopted.

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

H. F. No. 1808, A bill for an act relating to financial institutions; authorizing the establishment of certain branch banks by banks located in this state; providing for application and approval of branch banks; permitting change of locations and office closings; permitting establishment of branch banks through merger or consolidation; authorizing the acquisition of banks or trust companies located in this state by foreign bank holding companies under certain prescribed conditions; amending Minnesota Statutes 1980, Section 49.34; proposing new law coded in Minnesota Statutes, Chapters 47 and 48; repealing Minnesota Statutes 1980, Section 48.34.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

#### "FOREIGN ACQUISITION OF SAVINGS BANKS

##### Section 1. [49.47] [DEFINITIONS.]

*Subdivision 1. [TERMS.] Unless the language or context clearly indicates that a different meaning is intended, the following terms, for purposes of section 2, have the meanings given.*

*Subd. 2. [ACT.] "Act" means the Federal Bank Holding Company Act of 1956, as amended.*

*Subd. 3. [FOREIGN BANK HOLDING COMPANY.] "Foreign bank holding company" means a company which is defined as a bank holding company under the Act and which conducted its principal banking business in a jurisdiction of the United States other than Minnesota, on May 9, 1956, or on the date on which the company became a bank holding company under the Act, whichever occurred later.*

*Subd. 4. [SAVINGS BANKS.] "Savings bank" means a savings bank on the effective date of this act as defined in section 47.01.*

*Subd. 5. [ACQUISITION.] "Acquisition" means acquiring, directly or indirectly, any voting shares of, interest in, or all or substantially all of the assets of, a savings bank whose principal office is located in this state.*

*Subd. 6. [COMMISSIONER.] "Commissioner" means the commissioner of banks.*

**Sec. 2. [49.48] [AUTHORITY OF FOREIGN BANK HOLDING COMPANIES TO ACQUIRE A SAVINGS BANK.]**

*Subdivision 1. [ACQUISITIONS.] If the commissioner has determined that exigent circumstances exist such that an acquisition of a savings bank is necessary and in the public interest to maintain the continued viability or prevent the probable failure of the savings bank, a foreign bank holding company or a subsidiary of a foreign bank holding company may make the acquisition and thereby engage in the business of banking in this state. The foreign bank holding company and its subsidiaries doing business in this state shall be subject to the provisions of all laws of this state which are applicable to banks and other financial institutions.*

*Subd. 2. [CONVERSION.] To facilitate an acquisition pursuant to this section, the commissioner may convert the charter, form of ownership, or operating powers of a savings bank into the charter, form of ownership, or operating powers of a bank.*

*Subd. 3. [COOPERATION WITH FEDERAL AUTHORITIES.] The commissioner shall participate to the extent permissible with the appropriate federal authorities in an effort to secure a suitable acquirer for a savings bank pursuant to subdivision 1 of this section. The acquiring institution shall be chosen after due consideration is given to the financial institution structure in the state, impact on the insurance fund of the Federal Deposit Insurance Corporation, state and federal anti-trust laws, and the convenience and needs of the public.*

## Sec. 3. [EFFECTIVE DATE.]

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

Delete the title and insert:

"A bill for an act relating to financial institutions; authorizing the acquisition of a savings bank located in this state by foreign bank holding companies under certain prescribed conditions; proposing new law coded in Minnesota Statutes, Chapter 49."

With the recommendation that when so amended the bill pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 451, 879, 1283, 1479, 1546, 1573, 1579, 1580, 1587, 1610, 1635, 1724, 1786 and 1808 were read for the second time.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Novak and Anderson, I., introduced:

H. F. No. 1821, A bill for an act relating to taxation; making technical corrections and administrative changes to the income tax and property tax refund; amending Minnesota Statutes 1980, Sections 290.012, Subdivision 2; 290.02; 290.03; 290.06, Subdivisions 9 and 9a; 290.079, Subdivision 1; 290.09, Subdivisions 16 and 17; 290.095, Subdivision 4; 290.13, Subdivision 1; 290.133, Subdivision 1; 290.19, Subdivision 1; 290.281, Subdivision 1; 290.31, Subdivisions 5 and 19; 290.36; 290.45, Subdivision 1; 290.49, Subdivisions 3, 7, and by adding a subdivision; 290.53, by adding a subdivision; 290.65, Subdivisions 9 and 11; 290.91; 290.92, Subdivision 13; 290.93, Subdivision 9; 290.936; 290A.11, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Sections 290.01, Subdivisions 20 and 27; 290.05, Subdivisions 1 and 4; 290.075; 290.081; 290.09, Subdivisions 2, 4, and 15; 290.091; 290.095, Subdivision 11; 290.10; 290.131, Subdivision 1; 290.132, Subdivision 1; 290.136, Subdivision 1; 290.14; 290.18, Subdivisions 1 and 2; 290.21, Subdivision 3; 290.23, Subdivision 3; 290.31, Subdivisions 3 and 4; 290.32; 290.37, Subdivision 1; 290.41, Subdivision 2; 290.42; 290.431; 290.92, Subdivisions 2a, 5, 5a, and 6; 290.93, Subdivisions 1 and 10; 290.9725; 290.974; 290A.03, Subdivisions 3 and 13; 290A.07, Subdivision 2a; 290A.11, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 290; repealing Minnesota Statutes 1980, Sections 62E.03, Subdivision 2; 290.06, Subdivision 3c; 290.0781; 290.079,

Subdivisions 2, 3, 4, and 5; 290.08, Subdivision 21; 290.09, Subdivision 24; 290.13, Subdivisions 2, 4, and 10; 290.136, Subdivision 8; 290.26, Subdivision 5; 290.281, Subdivisions 3, 4, and 6; 290.31, Subdivisions 7, 8, 12, 13, 14, 15, 16, 17, 18, 20, 22, 23, 24, 25, and 26; 290.973; and Minnesota Statutes 1981 Supplement, Sections 290.079, Subdivision 6; 290.09, Subdivision 17a; 290.131, Subdivisions 2 and 3; 290.132, Subdivision 2; 290.133, Subdivision 2; 290.21, Subdivision 7; 290.26, Subdivisions 1 and 3; 290.281, Subdivision 2; 290.31, Subdivisions 6, 8a, 9, 10, 11, and 21; and 290.971, Subdivision 7.

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

Novak and Anderson, I., introduced:

H. F. No. 1822, A bill for an act relating to taxation; income; property tax refund; adopting certain federal income tax amendments; limiting the income tax investment credit subtraction; altering the adoption of accelerated cost recovery system; amending Minnesota Statutes 1980, Section 290.16, Subdivisions 15, as amended, and 16, as amended; Minnesota Statutes 1981 Supplement, Sections 290.01, Subdivision 20, as amended; 290.09, Subdivisions 7, as amended, and 29; 290.091, as amended; 290.92, Subdivision 15; 290.93, Subdivision 1; 290.934, Subdivision 4; 290A.03, Subdivision 3; repealing Minnesota Statutes 1980, Section 290.65, Subdivisions 2, 3, 4, 5, 6, and 7.

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

O'Connor; Anderson, I.; Jacobs and Novak introduced:

H. F. No. 1823, A bill for an act relating to taxation; income tax; providing for allocation of income for nonresident athletes and entertainers; providing for apportionment of income for athletic teams; providing for withholding; amending Minnesota Statutes 1980, Sections 290.19, Subdivision 1; and 290.92, Subdivision 4a; and Minnesota Statutes 1981 Supplement, Section 290.17, Subdivision 2.

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

Gustafson; Anderson, I.; Jacobs and Novak introduced:

H. F. No. 1824, A bill for an act relating to taxation; income tax; property tax refund; providing an action to enjoin certain tax return preparers from engaging in certain conduct or from preparing returns; imposing penalties on a preparer for wilfully understating an income tax liability or wilfully overstating a property tax refund claim; proposing new law coded in Minnesota Statutes, Chapters 290 and 290A.

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

Peterson, D.; Anderson, I.; Tomlinson; Begich and Jacobs introduced:

H. F. No. 1825, A bill for an act relating to taxation; enacting the multistate tax compact; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 290.

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

Wynia; Sieben, M.; Dempsey; Peterson, B., and Ellingson introduced:

H. F. No. 1826, A bill for an act relating to legal services; providing for a surcharge on civil filing fees; authorizing the supreme court to appoint an advisory committee; authorizing the distribution of the surcharge funds to qualified programs providing legal services to certain persons; requiring a report to the legislature; proposing new law coded in Minnesota Statutes, Chapter 480.

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

Heinitz and Stowell introduced:

H. F. No. 1827, A bill for an act relating to education; requiring school boards and exclusive bargaining representatives of teachers to negotiate a plan providing for unrequested leaves of absence without pay or fringe benefits; amending Minnesota Statutes 1980, Section 125.12, by adding a subdivision; repealing Minnesota Statutes 1980, Section 125.12, Subdivisions 6a and 6b.

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

McDonald, McCarron and McEachern introduced:

H. F. No. 1828, A bill for an act relating to local government; permitting cities to impose a separate property tax to pay the cost of elections; proposing new law coded in Minnesota Statutes, Chapter 465.

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

Jennings introduced :

H. F. No. 1829, A bill for an act relating to the city of St. James; providing for the calculation of its property tax levy limitation.

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

Heap and Marsh introduced :

H. F. No. 1830, A bill for an act relating to securities; removing the exemption from filing fees for an agent who is a primary officer, partner, or director of a licensed broker-dealer; amending Minnesota Statutes 1981 Supplement, Section 80A.28, Subdivision 2.

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

Rodriguez, C.; Sieben, M.; Jennings; Wynia and Levi introduced :

H. F. No. 1831, A bill for an act relating to human rights; including sexual harassment as a form of unfair discriminatory practices for certain purposes; amending Minnesota Statutes 1980, Section 363.01, Subdivision 10, and by adding a subdivision.

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

Wynia, Hokanson, Heinitz, Kelly and Onnen introduced :

H. F. No. 1832, A bill for an act relating to the operation of state government; authorizing the legislative auditor to approve contracts for auditing state agencies; modifying authority of the housing finance agency and certain other agencies to contract for audits without approval; amending Minnesota Statutes 1980, Sections 3.972; and 462A.22, Subdivision 10.

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

Sarna, O'Connor, McEachern, Ogren and Marsh introduced :

H. F. No. 1833, A bill for an act relating to no-fault automobile insurance; providing for reduced premiums for inexperienced drivers in certain circumstances; proposing new law coded in Minnesota Statutes, Chapter 65B.

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

Metzen, Berkelman and Den Ouden introduced:

H. F. No. 1834, A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

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

Hoberg, Valan, Knickerbocker, Battaglia and Elioﬀ introduced:

H. F. No. 1835, A bill for an act relating to public safety; providing that certain fines and forfeited bail money collected from persons violating motor vehicle weight laws and apprehended by the state patrol by means of stationary or portable scales be allocated between the state and certain political subdivisions; amending Minnesota Statutes 1981 Supplement, Section 299D.03, Subdivision 5.

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

Elioﬀ, Begich, Battaglia and Ludeman introduced:

H. F. No. 1836, A bill for an act relating to state lands; providing for the conveyance of certain lands to the heirs of John G. and Ruby A. Handberg.

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

Simoneau introduced:

H. F. No. 1837, A bill for an act relating to state collective bargaining units; adopting a modified unit composition schedule for state employees; amending Minnesota Statutes 1980, Section 179.741, Subdivision 1.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Begich, Battaglia and Anderson, I., introduced:

H. F. No. 1838, A bill for an act relating to natural resources; extending the time during which the commissioner of natural resources may extend timber permits; amending Laws 1981, Chapter 305, Section 11.

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

Evans; Reif; Swanson; Clark, J., and Blatz introduced:

H. F. No. 1839, A bill for an act relating to health; requiring reports of cases of Reyes syndrome; proposing new law coded in Minnesota Statutes, Chapter 144.

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

Dempsey, Kalis, Reding and Piepho introduced:

H. F. No. 1840, A bill for an act relating to public welfare; allowing payment of claims for medical assistance to be made against homestead property which is part of an estate; amending Minnesota Statutes 1980, Sections 510.05; 524.3-805; and Minnesota Statutes 1981 Supplement, Section 525.145.

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

McDonald; Jennings; Johnson, C., and Levi introduced:

H. F. No. 1841, A bill for an act relating to education; authorizing an additional referendum election for a school district levy increase when 45 percent of the votes cast on the question were in favor of the increase; amending Minnesota Statutes 1981 Supplement, Section 275.125, Subdivision 2d.

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

Rodriguez, F.; Kelly; Hanson; Drew and Vellenga introduced:

H. F. No. 1842, A bill for an act relating to the city of Saint Paul; authorizing the issuance of bonds to provide funds to repair, remodel, construct or reconstruct the civic center facilities.

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

Rodriguez, F.; Tomlinson; Vellenga; Drew and Kelly introduced:

H. F. No. 1843, A bill for an act relating to the city of St. Paul; establishing certain taxes.

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



Mehrkens, Stowell and Wieser introduced:

H. F. No. 1844, A bill for an act relating to game and fish; removing the restriction upon issuance of wild turkey licenses; amending Minnesota Statutes 1980, Section 100.271, Subdivision 3a.

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

Wenzel, Jude, Erickson, Schafer and Den Ouden introduced:

H. F. No. 1845, A bill for an act relating to agriculture; prohibiting waste disposal and processing sites on certain agricultural land; amending Minnesota Statutes 1980, Sections 115A.03, by adding a subdivision; 116.081, by adding a subdivision; 368.01, Subdivision 14; 412.221, Subdivision 22; Minnesota Statutes 1981 Supplement, Sections 115A.09, Subdivision 2; 115A.20; 473.153, Subdivision 2; 473.803, Subdivision 1a; proposing new law coded in Minnesota Statutes, Chapters 116C and 400.

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

Reding introduced:

H. F. No. 1846, A bill for an act relating to game and fish; restricting commercial fishing on Lake of the Woods and Rainy Lake to rough fish only; amending Minnesota Statutes 1980, Section 102.26, Subdivisions 1 and 3.

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

Harens; Jude; Luknic; Nelson, K., and Nysether introduced:

H. F. No. 1847, A bill for an act relating to education; regulating student fees at the University of Minnesota; proposing new law coded in Minnesota Statutes, Chapter 137.

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

Elioff and Battaglia introduced:

H. F. No. 1848, A bill for an act relating to Independent School District No. 699; requiring certification of statutory operating debt.

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

Kelly, Byrne, Gustafson and Vanasek introduced:

H. F. No. 1849, A bill for an act relating to crimes; clarifying methods of and responsibility for imposing and collecting penalty assessments; amending Minnesota Statutes 1981 Supplement, Sections 609.101 and 626.861.

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

Kelly, Long, Pogemiller, Levi and Hokr introduced:

H. F. No. 1850, A bill for an act relating to juveniles; providing that commission of certain offenses constitutes prima facie evidence in reference for prosecution cases; amending Minnesota Statutes 1981 Supplement, Section 260.125, Subdivision 3.

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

Samuelson and Anderson, I., introduced:

H. F. No. 1851, A bill for an act relating to occupations and professions; cosmetology; providing for the licensing of cosmetologists and certain related occupations; establishing a board of cosmetology; providing for the powers, duties, terms, compensation, and removal of members; authorizing the board to promulgate rules; prescribing penalties; appropriating money; proposing new law coded as Minnesota Statutes, Chapter 155B; repealing Minnesota Statutes 1981 Supplement, Sections 155A.01 to 155A.18.

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

Jude; Ellingson; Anderson, B.; Piepho and Luknic introduced:

H. F. No. 1852, A bill for an act relating to waters; making the water well contractors and exploratory borers advisory council permanent; amending Minnesota Statutes 1980, Section 156A.06, Subdivision 1.

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

Otis introduced:

H. F. No. 1853, A bill for an act relating to taxation; authorizing taxing districts to abate taxes on new business; proposing new law coded in Minnesota Statutes, Chapter 273.

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

McEachern introduced:

H. F. No. 1854, A bill for an act relating to state lands; directing the sale and conveyance of a certain tract.

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

Lehto, Munger and Nysether introduced:

H. F. No. 1855, A bill for an act relating to natural resources; requiring payment of interest on late refunds to timber sale permit holders; authorizing reappraisal of damaged or destroyed timber sold under a permit; authorizing settlement of permit obligations when a permittee is incapacitated or deceased; amending Minnesota Statutes 1980, Section 90.201.

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

Voss, McEachern, Niehaus and Clawson introduced:

H. F. No. 1856, A bill for an act relating to the joint exercise of powers between governmental units; authorizing governmental units to provide services for other governmental units; amending Minnesota Statutes 1980, Section 471.59, by adding a subdivision.

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

Voss, McEachern, Niehaus and Clawson introduced:

H. F. No. 1857, A bill for an act relating to municipal planning; authorizing towns to plan; providing for standards and criteria for conditional uses and variances; authorizing the establishment of a board for planning in certain areas; amending Minnesota Statutes 1980, Sections 462.352, Subdivision 2; 462.357, Subdivision 6; and 462.36, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 462.

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

Voss, McEachern, Niehaus and Clawson introduced:

H. F. No. 1858, A bill for an act relating to counties; authorizing the establishment of subordinate service districts in order to provide and finance governmental services; proposing new law coded as Minnesota Statutes, Chapter 375B.

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

Voss, McEachern, Niehaus and Clawson introduced:

H. F. No. 1859, A bill for an act relating to towns; authorizing certain towns to exercise special powers; requiring notice; amending Minnesota Statutes 1980, Section 368.01, Subdivisions 1, 30, and by adding a subdivision.

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

Dempsey, McEachern, Jude, Rees and McCarron introduced:

H. F. No. 1860, A bill for an act relating to agriculture; eliminating certain provisions relating to abstracts of mortgages and liens on grain crops; repealing Minnesota Statutes 1980, Sections 386.42 and 386.43.

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

Simoneau introduced:

H. F. No. 1861, A bill for an act relating to taxation; income; providing a credit for home care of the elderly; appropriating money; amending Minnesota Statutes 1980, Section 290.06, by adding a subdivision.

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

Wynia, Kelly, Greenfield and Kaley introduced:

H. F. No. 1862, A bill for an act relating to insurance; authorizing separate accounts for certain pension plans; amending Minnesota Statutes 1981 Supplement, Section 61A.282, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 61A.

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

Greenfield, Rees, Simoneau, Voss and Brinkman introduced:

H. F. No. 1863, A bill for an act relating to credit unions; providing for approval of amendments to certificates of organization and bylaws; authorizing the board of directors to appoint a credit committee or a credit manager; prescribing the powers of a credit committee and credit manager; amending Minnesota Statutes 1980, Section 52.02; 52.08; 52.09, Subdivision 2; and 52.10.

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

Simoneau, Voss, Greenfield, Rees and Brinkman introduced:

H. F. No. 1864, A bill for an act relating to credit unions; providing for maximum interest rates on the unpaid balance of loans made by a credit union; making a temporary, superseding interest rate provision permanent; amending Minnesota Statutes 1980, Section 52.14, Subdivision 2; repealing Minnesota Statutes 1980, Section 52.14, Subdivision 1.

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

Rees, Wenzel and Sviggum introduced:

H. F. No. 1865, A bill for an act relating to metropolitan government; providing for the management of waste resulting from sewage treatment; requiring a study and certification of need before the establishment of new disposal facilities; amending Minnesota Statutes 1980, Section 473.153, by adding subdivisions.

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

Rees and Sviggum introduced:

H. F. No. 1866, A bill for an act relating to metropolitan solid waste management; allowing the removal of the moratorium on development at certain sites; amending Minnesota Statutes 1981 Supplement, Section 473.803, Subdivision 1a.

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

Brinkman introduced:

H. F. No. 1867, A bill for an act relating to insurance; eliminating certain mandatory filings with the commissioner of insurance; repealing Minnesota Statutes 1980, Section 72A.062.

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

Novak, Schreiber and Long introduced:

H. F. No. 1868, A bill for an act relating to local government aid; requiring a portion of sales tax collections to be distributed for local government aid; providing for payment of local government aid; requiring the commissioner of revenue to estimate payments; appropriating money; amending Minnesota Statutes 1981 Supplement, Sections 477A.014, Subdivision 1; 477A.015; and 477A.03.

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

Novak, Hanson, Onnen and Long introduced:

H. F. No. 1869, A bill for an act relating to local government aid; requiring a portion of the state general fund to be distributed for local government aid; providing for payment of local government aid; requiring the commissioner of revenue to estimate payments; authorizing the delay of 1982 aid payments; appropriating money; amending Minnesota Statutes 1981 Supplement, Sections 477A.014, Subdivision 1; 477A.015; and 477A.03.

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

Voss introduced:

H. F. No. 1870, A bill for an act relating to tax forfeited land; restoring certain funds to the real estate assurance account; appropriating money; amending Minnesota Statutes 1981 Supplement, Section 284.28, Subdivision 8.

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

McEachern and Sieben, H., introduced:

H. F. No. 1871, A bill for an act relating to education and public data on individuals; requiring the disclosure of names, addresses, telephone numbers and dates of birth of students in secondary schools to recruiting officers for any branch of the United States armed forces unless the parents request in writing that the information not be released; requiring certain procedures to be followed prior to release; restricting the dissemination of disclosed information; amending Minnesota Statutes 1980, Section 15.1693, Subdivision 2, and by adding a subdivision.

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

Anderson, I.; Jacobs; Tomlinson and Sieben, H., introduced:

H. F. No. 1872, A bill for an act relating to taxation; deleting an obsolete provision relating to income tax credits for taxable years beginning prior to 1980; repealing Minnesota Statutes 1980, Section 290.06, Subdivision 3c.

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

Clark, K., introduced:

H. F. No. 1873, A bill for an act relating to drivers licenses; requiring the suspension of licenses of certain uninsured persons; providing a penalty; proposing new law coded in Minnesota Statutes, Chapter 171.

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

Schoenfeld, Kalis and Anderson, I., introduced:

H. F. No. 1874, A bill for an act relating to taxation; income; providing a tax credit for certain workers' compensation insurance expenses; eliminating the credit for insurance premium taxes; amending Minnesota Statutes 1980, Section 290.06, by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 290.06, Subdivision 3f; and 290.35.

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

Clark, K., introduced:

H. F. No. 1875, A bill for an act relating to crimes; clarifying the definition of physically helpless victims of criminal sexual conduct; amending Minnesota Statutes 1980, Section 609.341, Subdivision 9.

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

Eken, Stumpf and Shea introduced:

H. F. No. 1876, A bill for an act relating to public safety; providing that certain fines and forfeited bail money collected from persons violating motor vehicle weight laws and apprehended by the state patrol by means of stationary or portable scales be allocated between the state and certain political subdivisions; amending Minnesota Statutes 1981 Supplement, Section 299D.03, Subdivision 5.

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

Kvam; Dempsey; Anderson, I.; Valento and Blatz introduced:

H. F. No. 1877, A bill for an act relating to taxation; making technical corrections and administrative changes to the income tax and property tax refund; amending Minnesota Statutes 1980, Sections 290.012, Subdivision 2; 290.02; 290.03; 290.06, Subdivisions 9 and 9a; 290.079, Subdivision 1; 290.09, Subdivisions 16 and 17; 290.095, Subdivision 4; 290.13, Subdivision 1; 290.133, Subdivision 1; 290.19, Subdivision 1; 290.281, Subdivision 1; 290.31, Subdivisions 5 and 19; 290.36; 290.45, Subdivision 1; 290.49, Subdivisions 3, 7, and by adding a subdivision; 290.53, by adding a subdivision; 290.65, Subdivisions 9 and 11; 290.91; 290.92, Subdivision 13; 290.93, Subdivision 9; 290.936; 290A.11, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Sections 290.01, Subdivisions 20 and 27; 290.05, Subdivisions 1 and 4; 290.075; 290.081; 290.09, Subdivisions 2, 4, and 15; 290.091; 290.095, Subdivision 11; 290.10; 290.131, Subdivision 1; 290.132, Subdivision 1; 290.136, Subdivision 1; 290.14; 290.18, Subdivisions 1 and 2; 290.21, Subdivision 3; 290.23, Subdivision 3; 290.31, Subdivisions 3 and 4; 290.32; 290.37, Subdivision 1; 290.41, Subdivision 2; 290.42; 290.431; 290.92, Subdivisions 2a, 5, 5a, and 6; 290.93, Subdivisions 1 and 10; 290.9725; 290.974; 290A.03, Subdivisions 3 and 13; 290A.07, Subdivision 2a; 290A.11, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 290; repealing Minnesota Statutes 1980, Sections 62E.03, Subdivision 2; 290.06, Subdivision 3c; 290.0781; 290.079, Subdivisions 2, 3, 4, and 5; 290.08, Subdivision 21; 290.09, Subdivision 24; 290.13, Subdivisions 2, 4, and 10;



290.136, Subdivision 8; 290.26, Subdivision 5; 290.281, Subdivisions 3, 4, and 6; 290.31, Subdivisions 7, 8, 12, 13, 14, 15, 16, 17, 18, 20, 22, 23, 24, 25, and 26; 290.973; and Minnesota Statutes 1981 Supplement, Sections 290.079, Subdivision 6; 290.09, Subdivision 17a; 290.131, Subdivisions 2 and 3; 290.132, Subdivision 2; 290.133, Subdivision 2; 290.21, Subdivision 7; 290.26, Subdivisions 1 and 3; 290.281, Subdivision 2; 290.31, Subdivisions 6, 8a, 9, 10, 11, and 21; and 290.971, Subdivision 7.

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

Nelson, K., introduced:

H. F. No. 1878, A bill for an act relating to the legislature; establishing a legislative science and technology resource council; providing for its powers and duties; proposing new law coded in Minnesota Statutes, Chapter 3.

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

Nelson, K.; Evans and Murphy introduced:

H. F. No. 1879, A bill for an act relating to energy; transferring certain duties to the commissioner of the department of energy, planning and development; amending Minnesota Statutes 1980, Sections 16.86, Subdivisions 4 and 5; 116H.02, by adding a subdivision; 394.25, Subdivision 2; 462.357, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 116H.07; 116H.088, Subdivision 1; 116H.095, Subdivisions 4 and 5; 116H.10, Subdivision 4; 116H.11, Subdivision 1; 116H.12, Subdivision 4; 116H.128; 116H.18; proposing new law coded in Minnesota Statutes, Chapter 325E; repealing Minnesota Statutes 1980, Sections 116H.088, Subdivision 2; 116H.12, Subdivision 8; 116H.19, Subdivision 2.

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

Nelson, K.; Ewald; Norton and Johnson, D., introduced:

H. F. No. 1880, A resolution memorializing the President and Congress of the United States in support of a mutual freeze with the Soviet Union on the testing, production, and deployment of nuclear weapons and delivery systems.

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

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

S. F. No. 1151.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 832.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 9, A Concurrent Resolution providing session deadlines for the legislature pursuant to Joint Rule 2.03.

PATRICK E. FLAHAVEN, Secretary of the Senate

## SUSPENSION OF RULES

Eken moved that the Rules be so far suspended that Senate Concurrent Resolution No. 9 be now considered and be placed upon it adoption. The motion prevailed.

## SENATE CONCURRENT RESOLUTION NO. 9

A Senate concurrent resolution providing session deadlines for the legislature pursuant to Joint Rule 2.03.

*Whereas*, Joint Rule 2.03, paragraph (b) requires the legislature to establish session deadline dates for even year sessions that are comparable to odd year sessions; *Now, Therefore*,

*Be It Resolved* by the Senate of the State of Minnesota, the House of Representatives concurring therein, that committee

reports on bills favorably acted upon by a committee in the house of origin after Monday, February 22, 1982, and committee reports on bills originating in the other house favorably acted upon by a committee after Wednesday, March 3, 1982, shall be referred in the Senate to the Committee on Rules and Administration, and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. Referral is not required when a committee, after the earlier date and by the later date set by this paragraph, acts on a bill that is a companion to a bill that has met the earlier deadline in the other house. This requirement does not apply to the Senate Committees on Finance and on Taxes and Tax Laws, and the House Committees on Appropriations and on Taxes.

After Monday, March 8, 1982, neither house shall act on bills other than those contained in:

- (1) Reports of conference committees;
- (2) Messages from the other house;
- (3) Reports of the Committee on Rules and Administration in the Senate or the Committee on Rules and Legislative Administration in the House; or
- (4) Messages from the governor.

Eken moved that Senate Concurrent Resolution No. 9 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 9 was adopted.

### FIRST READING OF SENATE BILLS

S. F. No. 1151, A bill for an act relating to county recorders; providing for the disposal of various obsolete records including state and federal liens; amending Minnesota Statutes 1980, Section 386.46.

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

S. F. No. 832, A bill for an act relating to financial institutions; authorizing the acquisition of a savings bank located in this state by foreign bank holding companies under certain prescribed conditions; proposing new law coded in Minnesota Statutes, Chapter 49.

The bill was read for the first time.

## SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Brinkman moved that the rule therein be suspended and an urgency be declared so that S. F. No. 832 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Brinkman moved that the rules of the House be so far suspended that S. F. No. 832 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 832 was read for the second time.

S. F. No. 832, A bill for an act relating to financial institutions; authorizing the acquisition of a savings bank located in this state by foreign bank holding companies under certain prescribed conditions; proposing new law coded in Minnesota Statutes, Chapter 49.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

## CONSENT CALENDAR

H. F. No. 1554 was reported to the House.

Upon objection of ten members H. F. No. 1554 was stricken from the Consent Calendar and returned to General Orders.

## CALENDAR

H. F. No. 1250 was reported to the House.

There being no objection, H. F. No. 1250 was continued on the Calendar for one day.

## GENERAL ORDERS

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

## REPORT OF COMMITTEE OF THE WHOLE

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

S. F. No. 429 which it recommended progress with the following amendment offered by Swanson:

Page 5, line 32, delete "*current edition of the*"

Page 6, line 10, delete "*be considered to be unsafe and shall*"

Page 6, line 11, delete "*thereafter*"

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

## ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following changes in committee assignments:

Energy: Remove the name of Jennings and add the name of Sherwood.

Rules and Legislative Administration: Remove the name of Sherwood and add the name of Jennings.

## MOTIONS AND RESOLUTIONS

Skoglund moved that the name of Rodriguez, F., be added as an author on H. F. No. 1542. The motion prevailed.

Rees moved that the name of Friedrich be stricken and the name of Rees be shown as chief author on H. F. No. 605. The motion prevailed.

Swanson moved that the name of Carlson, L., be added as an author on H. F. No. 1799. The motion prevailed.

Pogemiller moved that the name of Staten be added as an author on H. F. No. 1795. The motion prevailed.

Erickson moved that the name of Kalis be added as an author on H. F. No. 1754. The motion prevailed.

Munger moved that the name of Laidig be added as an author on H. F. No. 1779. The motion prevailed.

Valento moved that the name of Rodriguez, C., be added as an author on H. F. No. 1753. The motion prevailed.

Rodriguez, C., moved that the names of Brandl and Valento be added as authors on H. F. No. 1769. The motion prevailed.

Zubay moved that the name of Kelly be added as second author and the names of Heap and Frerichs be added as authors on H. F. No. 1664. The motion prevailed.

Vellenga moved that the name of Dempsey be added as an author on H. F. No. 1723. The motion prevailed.

Lemen moved that the name of Long be added as an author on H. F. No. 1805. The motion prevailed.

Pogemiller moved that the name of Otis be added as an author on H. F. No. 1747. The motion prevailed.

Rodriguez, F., moved that the name of Kaley be added as an author on H. F. No. 1737. The motion prevailed.

Greenfield moved that the name of Harens be stricken and the name of Anderson, B., be added as an author on H. F. No. 275. The motion prevailed.

Voss moved that H. F. No. 1738 be recalled from the Committee on Local and Urban Affairs and be re-referred to the Committee on General Legislation and Veterans Affairs. The motion prevailed.

Otis moved that H. F. No. 1798 be recalled from the Committee on Energy and be re-referred to the Committee on Regulated Industries. The motion prevailed.

Skoglund moved that H. F. No. 611 be returned to its author. The motion prevailed.

Brinkman moved that H. F. No. 1808, now on Technical General Orders, be returned to its author. The motion prevailed.

Haukoos moved that H. F. No. 1679 be recalled from the Committee on Education and be re-referred to the Committee on Appropriations. The motion prevailed.

Lemen and Nelsen, B., introduced:

House Resolution No. 21, A house resolution commemorating the 160th anniversary of the birth of President Rutherford B. Hayes.

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

#### ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, February 8, 1982. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, February 8, 1982.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

