

STATE OF MINNESOTA

SEVENTY-SECOND SESSION - 1982

SEVENTY-FIRST DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 15, 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 Reverend Thomas Koelln, Louisburg-St. Paul's Lutheran Parish, Louisburg, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Anderson, R.; Valan and Vellenga were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Kelly moved that further reading of the Journal be

dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 919, 1262, 1442, 1710, 275, 1603, 1699, 776, 879, 1484, 1523, 1589, 1712 and 1732 and S. F. Nos. 786, 787, 1239 and 1538 have been placed in the members' files.

S. F. No. 1538 and H. F. No. 1587, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Lehto moved that the rules be so far suspended that S. F. No. 1538 be substituted for H. F. No. 1587 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Jude from the Committee on Judiciary to which was referred:

H. F. No. 685, A bill for an act relating to crimes; providing for the return of stolen property; providing that photographic records of stolen property shall be admissible as evidence; proposing new law coded in Minnesota Statutes, Chapter 609.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [609.523] [RETURN OF STOLEN PROPERTY TO OWNERS.]

Subdivision 1. [PHOTOGRAPHIC RECORD.] Photographs of property, as defined in section 609.52, subdivision 1, which a person is alleged to have exerted unauthorized control over or to have otherwise obtained unlawfully are competent evidence if the photographs are admissible into evidence under all rules of law governing the admissibility of photographs into evidence. The photographic record, when satisfactorily identified, is as admissible in evidence as the stolen property itself.

Subd. 2. [RECORD OF PROPERTY.] The photographs may bear a written description of the property alleged to have been wrongfully taken, the name of the owner of the property taken, the name of the accused, the name of the arresting law enforcement officer, the date of the photograph, and the signature of the photographer.

Subd. 3. [RETURN OF PROPERTY.] A law enforcement agency that is holding property over which a person is alleged to have exerted unauthorized control or to have otherwise obtained unlawfully may return that property to its owner if:

(a) The appropriately identified photographs are filed and retained by the law enforcement agency;

(b) Satisfactory proof of ownership of the property is shown by the owner;

(c) A declaration of ownership is signed under penalty of perjury; and

(d) A receipt for the property is obtained from the owner upon delivery by the law enforcement agency.

Subd. 4. [NONLIABILITY; GOOD FAITH RETURN.] Any person who in good faith returns property pursuant to this section is not thereafter to be held liable in any legal proceedings concerning the return of the property."

Delete the title and insert:

"A bill for an act relating to crimes; providing photographic records of evidence shall be admissible as evidence; providing for the return of stolen property; proposing new law coded in Minnesota Statutes, Chapter 609."

With the recommendation that when so amended the bill pass.

The report was adopted.

Mann from the Committee on Transportation to which was referred:

H. F. No. 1025, A bill for an act relating to safety; imposing an additional registration tax on motorcycles for motorcycle safety education programs; providing for the disposition of the proceeds of the additional tax; prescribing duties of commissioner of education; appropriating money; amending Minnesota Statutes 1980, Section 168.013, Subdivisions 1b and 8; proposing new law coded in Minnesota Statutes, Chapter 126.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1981 Supplement, Section 171.06, is amended by adding a subdivision to read:

Subd. 2a. [FEE INCREASED.] The fee for any duplicate drivers license which is obtained for the purpose of adding a

two-wheeled vehicle endorsement is increased by \$6 for each first such duplicate license and \$4 for each renewal thereof. The additional fee shall be paid into the state treasury and credited to the motorcycle safety fund which is hereby created.

All application forms prepared by the commissioner for two-wheeled vehicle endorsements shall clearly contain the information that of the total fee charged for the endorsement, \$4 is dedicated to the motorcycle safety fund.

Sec. 2. [126.115] [MOTORCYCLE SAFETY EDUCATION PROGRAM.]

Subdivision 1. [ADVISORY COMMITTEE ESTABLISHED.] There is hereby created an advisory committee on motorcycle safety. The committee shall be appointed by the commissioners of education and public safety and shall consist of no more than eight members which shall include educational, safety and motorcycling representatives. The committee will serve at no expense to the state and shall expire September 30, 1984.

Subd. 2. [ESTABLISHED; ADMINISTRATION; RULES.] A motorcycle safety program is established. The program shall be administered by the commissioners of public safety and education with the advice of the advisory committee on motorcycle safety. The program shall include but is not limited to training and coordination of motorcycle safety instructors, motorcycle safety promotion and public information, and reimbursement for the cost of approved courses offered by schools and organizations.

Subd. 3. [REIMBURSEMENTS.] The commissioner of education, to the extent that funds are available, may reimburse schools and other approved organizations offering approved motorcycle safety education courses for up to 50 percent of the actual cost of the courses. If sufficient funds are not available reimbursements shall be prorated. The commissioner may conduct audits and otherwise examine the records and accounts of schools and approved organizations offering the courses to insure the accuracy of the costs.

Subd. 4. [APPROPRIATION.] All funds in the motorcycle safety fund created by section 1 of this act are hereby annually appropriated to the commissioner of public safety to carry out the purposes of subdivisions 2 and 3. The commissioner of public safety may make grants from the fund to the commissioner of education at such times and in such amounts as he deems necessary to carry out the purposes of subdivisions 2 and 3. Not more than five percent of the funds so appropriated shall be expended to defray the administrative costs of carrying out the purposes of subdivisions 2 and 3, and not more than 50 percent of the money so appropriated shall be expended for the

combined purpose of training and coordinating the activities of motorcycle safety instructors and making reimbursements to schools and other approved organizations."

Amend the title as follows:

Page 1, delete lines 3 to 9 and insert "fee for two-wheeled vehicle endorsements for motorcycle safety programs; providing for the disposition of the proceeds of the additional fee; prescribing duties of commissioner of public safety; establishing a fund; making a standard appropriation; amending Minnesota Statutes 1981 Supplement, Section 171.06, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 126."

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

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1050, A bill for an act relating to insurance; requiring proof of motor vehicle or motorcycle insurance prior to the issuance of a parking permit by a governmental unit; proposing new law coded in Minnesota Statutes, Chapter 65B.

Reported the same back with the following amendments:

Page 1, line 10, delete "No" and insert "A" and delete "shall issue" and insert "may require that the issuance of"

Page 1, line 11, after "it" insert "may be denied the owner"

Amend the title as follows:

Page 1, line 2, after the semicolon insert "authorizing the" and after "requiring" insert "of"

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

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

H. F. No. 1068, A bill for an act relating to adoption; providing for record retention; providing for services by adoption agencies; proposing new law coded in Minnesota Statutes, Chapter 259.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [259.46] [ADOPTION RECORDS.]

Subdivision 1. [CONTENT.] The adoption records of the commissioner, his agents and licensed child placing agencies shall contain copies of all relevant legal documents, responsibly collected genetic, medical and social history of the child and his genetic parents, the child's placement record, copies of all pertinent agreements, contracts, and correspondence relevant to the adoption, and copies of all reports and recommendations made to the court. Identifying information contained in the adoption record shall be confidential and shall be disclosed only pursuant to section 259.31.

Subd. 2. [USE.] Each adoption record shall constitute the permanent record upon which court action is based and agency services are administered.

Subd. 3. [RETENTION.] All adoption records shall be retained on a permanent basis under a protected record system which ensures confidentiality and lasting preservation.

Sec. 2. [259.47] [POST-ADOPTION SERVICES.]

Subdivision 1. [SERVICES PROVIDED.] Agencies shall provide assistance and counseling services upon receiving a request for current information from adoptive parents, genetic parents, or adopted persons aged 19 years and over. The agency shall contact the other adult persons or the adoptive parents of a minor child in a personal and confidential manner to determine whether there is a desire to receive or share information or to have contact. If there is such a desire, the agency shall provide the services requested. The agency shall provide services to adult genetic siblings if there is no known violation of the confidentiality of a genetic parent or if the genetic parent gives written consent.

Subd. 2. [HEALTH INFORMATION.] When the agency receives information about a medical or genetic condition which has affected or may affect the physical or mental health of genetically related persons, the agency shall make a diligent effort to contact those persons in order to transmit the health information.

Subd. 3. [IDENTIFYING INFORMATION.] In agency adoptive placements made on and after August 1, 1982, the agency responsible for the placement shall obtain from the genetic parents named on the original birth certificate an affidavit attesting to the following:

(a) That the genetic parent has been informed of the right of the adopted person at age 19 to request from the agency the name, last known address, birthdate and birthplace of the genetic parents named on the adopted person's original birth certificate;

(b) That each genetic parent may file in the agency record an affidavit objecting to the release of any or all of the information listed in clause (a) about that genetic parent, and only about himself, to the adopted person;

(c) That if the genetic parent does not file an affidavit objecting to release of information before the adopted person's 19th birthdate, the agency will provide the adopted person with the information upon request;

(d) That notwithstanding the filing of an affidavit, the adopted person may petition the court pursuant to section 259.31 for release of identifying information about a genetic parent;

(e) That the genetic parent shall then have the opportunity to present evidence to the court that nondisclosure of identifying information is of greater benefit to the genetic parent than disclosure to the adopted person; and

(f) That any objection filed by the genetic parent shall become invalid when withdrawn by the genetic parent or when the genetic parent dies. Upon receipt of a death certificate for the genetic parent, the agency shall release the identifying information to the adopted person if requested.

Subd. 4. [CONFIDENTIALITY.] Agencies shall provide adoptive parents, genetic parents and adult siblings, and adopted persons aged 19 years and over reasonable assistance in a manner consistent with state and federal laws, rules, and regulations regarding the confidentiality and privacy of child welfare and adoption records.

Subd. 5. [CHARGES.] Agencies may require a reasonable expense reimbursement for providing services required in this section.

Sec. 3. [259.48] [RULES.]

The commissioner of public welfare shall make rules as necessary to administer sections 1 and 2."

With the recommendation that when so amended the bill pass.

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1365, A bill for an act relating to cities; authorizing city rehabilitation loan programs for small and medium sized commercial buildings; and providing for the issuance of revenue bonds to finance the programs; proposing new law coded in Minnesota Statutes, Chapter 459.

Reported the same back with the following amendments:

Page 2, line 11, after "and" insert "*, if the city has adopted a comprehensive plan,*"

Page 2, after line 20, insert "*small and medium sized*"

Page 3, line 23, delete "\$100,000" and insert "\$200,000"

Page 3, line 36, after "city" insert "*or county*"

Page 4, line 1, delete "*this act*" and insert "*sections 1 to 3*"

Page 6, line 14, delete "*this act*" and insert "*sections 1 to 3*"

Page 6, line 16, delete "Subd. 5" and insert "Sec. 4. [459.34]" and before "*The*" begin a new paragraph

Page 6, line 17, delete "*this act*" and insert "*sections 1 to 3*"

Page 6, after line 18, insert:

"Sec. 5. Minnesota Statutes 1980, Section 462.421, Subdivision 14, is amended to read:

Subd. 14. "Project" means a housing project, a housing development project or a redevelopment project, or any combination of such projects. The term "project" also may be applied to all real and personal property, assets, cash, or other funds, held or used in connection with the development or operation of the housing project, housing development project or redevelopment project, as the case may be. *The term "project" also includes an interest reduction program authorized by section 462.445, subdivision 10.*

Sec. 6. Minnesota Statutes 1980, Section 462.445, is amended by adding a subdivision to read:

Subd. 10. [INTEREST REDUCTION PROGRAM.] *An authority may develop and administer an interest reduction program to assist the financing of the construction, rehabilitation, and purchase of housing units which are primarily for occupancy by individuals of low or moderate income and related and subordinate facilities. An authority may:*

(a) *pay in periodic payments or in a lump sum payment any or all of the interest on loans made pursuant to chapter 462C or section 462.445, subdivision 9;*

(b) *pay any or all of the interest on bonds issued pursuant to chapter 462C, or pursuant to this chapter for the purpose of making loans authorized by section 462.445, subdivision 9;*

(c) *pay in periodic payments or in a lump sum payment any or all of the interest on loans made by private lenders to purchasers of housing units;*

(d) *pay any or all of the interest due on loans made by private lenders to a developer for the construction or rehabilitation of housing units;*

(e) *pay in periodic payments or in a lump sum payment any or all of the interest on loans made by any person to a developer for the construction, rehabilitation, and purchase of commercial facilities which are related and subordinate to the construction, rehabilitation, or purchase of housing units which receive interest reduction assistance provided that the entire development is composed primarily of housing units;*

(f) *pay any or all of the interest on bonds issued pursuant to chapter 474, when the bonds are issued for a project which is related and subordinate to the construction, rehabilitation, or purchase of housing units which receive interest reduction assistance provided that the entire development is composed primarily of housing units;*

(g) *pay in periodic payments or in a lump sum payment any or all of the interest on loans made pursuant to sections 1 to 5 for the rehabilitation or preservation of small and medium sized commercial buildings; and*

(h) *pay any or all of the interest on bonds issued pursuant to section 3.*

Sec. 7. Minnesota Statutes 1980, Section 462.445, is amended by adding a subdivision to read:

Subd. 11. [INTEREST REDUCTION PROGRAM; LIMITATIONS.] In developing the interest reduction program authorized by section 6 the authority shall consider:

(a) *the availability and affordability of other governmental programs;*

(b) *the availability and affordability of private market financing; and*

(c) *the need for additional affordable mortgage credit to encourage the construction and enable the purchase of housing units within the jurisdiction of the authority.*

The authority shall promulgate regulations for the interest reduction program. Interest reduction assistance shall not be provided when the authority determines that financing for the purchase of a housing unit or for the construction or rehabilitation of housing units is otherwise available from private lenders upon terms and conditions which are affordable by the applicant, as provided by the authority in its regulations.

At least 20 percent of the aggregate dollar amount of funds appropriated for interest reduction assistance for housing units within any calendar year by an authority shall be appropriated either (1) for housing units which are held available for rental to families or individuals with an adjusted gross income which is less than 80 percent of the median family income as established by the United States department of housing and urban development for the nonmetropolitan county or standard metropolitan statistical area, as the case may be or (2) for housing units which are to be sold to families or individuals with an adjusted gross income which is less than 100 percent of the median family income as established by the United States department of housing and urban development for the nonmetropolitan county or standard metropolitan statistical area, as the case may be. At least an additional 55 percent of the aggregate dollar amount of funds appropriated for interest reduction assistance for housing units within any calendar year by an authority shall be appropriated for housing units which are held available for families or individuals with an adjusted gross income which is less than 160 percent of the median family income as established by the United States department of housing and urban development for the nonmetropolitan county or standard metropolitan statistical area, as the case may be. The adjusted gross income may be adjusted by the authority for family size.

Sec. 8. Minnesota Statutes 1980, Section 462.545, Subdivision 1, is amended to read:

Subdivision 1. [FINANCING PLANS AUTHORIZED.] *The entire cost of a project as defined in section 462.421, subdivision 14, including administrative expense of the authority allocable to the project and debt charges and all other costs authorized to be incurred by the authority in sections 462.415 to 462.705, shall be known as the public redevelopment cost. The proceeds from the sale or lease of property in a project shall be known as the capital proceeds. Since it is the purpose of this act that authorities will sell or lease or retain the land in the (REDEVELOPMENT) project area, in whole or in part, for a variety of purposes, depending upon the type of project, including private housing for upper or middle-income groups, or low income groups, public housing for low-income groups, commercial and other purposes, at its fair use value, except as provided in section 462.525, subdivisions 9 and 10, which may be less than the public redevelopment cost, the capital proceeds from land sold may pay back only a portion of the public redevelopment cost. For*

the purpose of carrying out the provisions of sections 462.515 to 462.545, including the defrayment of the (DIFFERENCES BETWEEN THE) public redevelopment cost (AND) *minus* the capital proceeds *if any*, which includes the difference between any annual debt service and the annual administrative expenses of the authority allocable to the project and any annual capital proceeds, an authority may, in its discretion, finance such projects in any one, by any combination of, the following methods, which are also dealt with in sections 462.415 to (462.711) 462.705.

Sec. 9. [EFFECTIVE DATE.]

This act shall be effective the day following final enactment."

Amend the title as follows:

Page 1, line 5, after "programs;" insert "authorizing a housing and commercial rehabilitation interest reduction program; amending Minnesota Statutes 1980, Sections 462.421, Subdivision 14; 462.445, by adding subdivisions; and 462.545, Subdivision 1;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

H. F. No. 1366, A bill for an act relating to liens for improvements made to real property; prescribing notice requirements to owners by subcontractors; defining owner; amending Minnesota Statutes 1980, Section 514.011, Subdivisions 2 and 5.

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

The report was adopted.

Mann from the Committee on Transportation to which was referred:

H. F. No. 1462, A bill for an act relating to motor vehicles; providing for special license plates for certain motor vehicles owned and operated by members of certain fire departments; amending Minnesota Statutes 1980, Section 168.12, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 11, delete "Any"

Page 1, delete lines 12 to 19 and insert "*The registrar shall issue special license plates to any applicant who is both a member of a fire department receiving state aid under chapter 69 and an owner or joint owner of a passenger automobile, station*

wagon, van or pickup with a gross weight of 9,000 pounds or less, upon payment of the registration tax required by law for the vehicle and compliance with other laws of this state relating to registration and licensing of motor vehicles and drivers. In lieu of the identification required under subdivision 1, the special license"

Page 1, line 21, delete "*which is in lieu of the*"

Page 1, line 22, delete "*identification required under subdivision 1*"

Page 1, line 24, after the period, begin a new paragraph

Page 2, line 3, after "*department*" delete the comma

Page 2, line 9, after the period, begin a new paragraph

Page 2, line 10, delete "*pursuant to*" and insert "*under*" and delete "*governing*" and insert "*, sections 15.041 to 15.052, to govern*"

Page 2, after line 12, insert:

"Sec. 2. [APPROPRIATION.]

The sums necessary to administer the provisions of section 1 are appropriated from the highway user tax distribution fund."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "*appropriating money;*"

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

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1505, A bill for an act relating to metropolitan government; providing for the establishment and operation of a water planning and management program in the metropolitan area; requiring watershed and local water management plans; establishing a metropolitan water resources advisory board; providing for the establishment and operation of watershed management organizations; establishing a program of planning and capital improvement grants; authorizing county and metropolitan debt; authorizing taxes; amending Minnesota Statutes 1980,

Sections 112.35, by adding a subdivision; 112.37, Subdivision 1, and by adding a subdivision; 112.42, Subdivision 3 and by adding subdivisions; 112.43, by adding a subdivision; 112.46; proposing new law coded in Minnesota Statutes, Chapter 473.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 112.35, is amended by adding a subdivision to read:

Subd. 22. "Metropolitan area" has the meaning given in section 473.121, subdivision 2.

Sec. 2. Minnesota Statutes 1980, Section 112.37, Subdivision 1, is amended to read:

112.37 [PROCEDURE FOR ESTABLISHMENT.]

Subdivision 1. Proceedings for the establishment of a watershed district shall be initiated (ONLY) by the filing of a nominating petition with the secretary of the board (, WHICH). *The* nominating petition shall be signed by any one of the following groups: (EITHER BY)

(1) at least one-half of the counties within the proposed district; *or*

(2) (OR) by a county or counties having at least 50 percent of the area within the proposed district; *or*

(3) (OR) by a majority of the cities within the proposed district; *or*

(4) (OR A NOMINATING PETITION ALSO MAY BE FILED IF SIGNED) by at least 50 resident freeholders of the proposed district, exclusive of the resident freeholders within the corporate limits of any city on whose behalf the authorized official has signed the petition.

(SAID) *The* nominating petition shall set forth the following:

(1) The name of the proposed district;

(2) The necessity for the district, and why it would be conducive to public health and public welfare, or accomplish any of the purposes of a watershed district;

(3) A statement in general terms setting forth the purpose of the contemplated improvements, the territory to be included

in the district, and all proposed subdivisions thereof, if any, of the district;

(4) The number of managers proposed for the district. *Except as otherwise provided in subdivisions 6 and 7, the managers shall be not less than three nor more than five (AND), shall be selected from a list of at least ten nominees (THEY), and shall be selected as representative of the local units of government affected (AND). None shall be a public officer of the county, state, or federal government;*

(5) A map of the proposed district;

(6) A request for the establishment of the district as proposed.

The petitioners shall cause to be served upon the county auditor or auditors of the counties affected by the proposed district, the commissioner, and the director, a copy of (SAID) *the nominating petition, and proof of service thereof shall be attached to the original petition, to be filed with the secretary of the board.*

Sec. 3. Minnesota Statutes 1980, Section 112.37, is amended by adding a subdivision to read:

Subd. 7. The managers of a district wholly within the metropolitan area shall number not less than five nor more than nine. They shall be selected from a list of persons nominated jointly or severally by statutory and home rule charter cities and towns having territory within the district. The list shall contain at least three nominees for each position to be filled. If the cities and towns fail to nominate in accordance with this subdivision, the managers shall be selected as provided in subdivision 1.

Sec. 4. Minnesota Statutes 1980, Section 112.42, Subdivision 3, is amended to read:

Subd. 3. At least 30 days prior to the expiration of the term of office of the first managers named by the board, the county commissioners of each county affected shall meet and proceed to appoint successors to the first managers. (PROVIDED, HOWEVER,) If the nominating petition that initiated the district (SHALL BE) originated from a majority of the cities within the district or if the district is wholly within the metropolitan area, the county commissioners shall appoint the managers from a list of (NOMINEES SUBMITTED) *persons nominated jointly or severally* by the townships and municipalities within the district. (SAID) *The list shall contain at least three nominees for each position to be filled. It shall be submitted to the affected county board at least 60 days prior to the expiration of the term of office. If (SUCH) the list is not submitted within 60 days*

prior to the expiration of the term of office the county commissioners shall select the managers from eligible individuals within the district. (SAID) *The county commissioners shall at least 30 days before the expiration of the term of office of any managers meet and appoint the successors. If the district affects more than one county, distribution of the managers among the counties affected shall be as directed by the board. Ten years after the order of establishment, upon petition of the county board of commissioners of any county affected by the district, the board after public hearing thereon, may redistribute the managers among the counties if (SUCH) redistribution is in accordance with the policy and purposes of this chapter. No petition for the redistribution of managers shall be filed with the board more often than once in ten years. The term of office of each manager, if the number does not exceed three, shall be one for a term of one year, one for a term of two years, and one for a term of three years. If the managers consist of five members, one shall be for a term of one year, two for a term of two years, and two for a term of three years. If the board of managers consists of more than five members, the managers shall be appointed so that as nearly as possible one-third serve terms of one year, one-third serve terms of two years, and one-third serve terms of three years. If the district affects more than one county, the board shall direct the distribution of the one, two and three year terms among the affected counties. Thereafter, the term of office for each manager shall be for a term of three years, and until his successor is appointed and qualified. If the district affects more than five counties, in order to provide for the orderly distribution of the managers, the board may determine and identify the manager areas within the territory of the district and select the appointing county board of commissioners for each manager's area. Any vacancy occurring in an office of a manager shall be filled by the appointing county board of commissioners. A record of all appointments made under this subdivision shall be filed with the county auditor of each county affected, with the secretary of the board of managers, and with the secretary of the water resources board. No person shall be appointed as a manager who is not a voting resident of the district and none shall be a public officer of the county, state, or federal government.*

Sec. 5. Minnesota Statutes 1980, Section 112.42, is amended by adding a subdivision to read:

Subd. 3a. The board shall restructure the boards of managers of districts established before the effective date of this act and located wholly within the metropolitan area to ensure compliance with the requirements of sections 3 and 4. The board shall request recommendations from the district and the affected local government units. Additional managers, if any, shall be appointed by the county designated by the board, to terms designated by the board, at the time of and in the manner provided for the next regular appointment of successors to managers of the district.

Sec. 6. Minnesota Statutes 1980, Section 112.43, is amended by adding a subdivision to read:

Subd. 1a. Notwithstanding any contrary provision of subdivision 1, a watershed district located wholly within the metropolitan area shall have authority to regulate the use and development of land only under the conditions specified in section 9, clause (c).

Sec. 7. [473.875] [PURPOSES.]

The purpose of the surface water management programs required by sections 7 to 14 is to preserve and use natural water storage and retention systems in order to (a) reduce to the greatest practical extent the public capital expenditures necessary to control excessive volumes and rates of runoff, (b) improve water quality, (c) prevent flooding and erosion from surface flows, (d) promote ground water recharge, (e) protect and enhance fish and wildlife habitat and water recreational facilities, and (f) secure the other benefits associated with the proper management of surface water.

Sec. 8. [473.876] [DEFINITIONS.]

Subdivision 1. [SCOPE.] For the purposes of sections 7 to 14, the following terms have the meanings given them.

Subd. 2. [CAPITAL IMPROVEMENT PROGRAM.] "Capital improvement program" means an itemized program for at least a five year prospective period, and any amendments to it, subject to at least biennial review, setting forth the schedule, timing, and details of specific contemplated capital improvements by year, together with their estimated cost, the need for each improvement, financial sources, and the financial effect that the improvements will have on the local government unit or watershed management organization.

Subd. 3. [LOCAL COMPREHENSIVE PLAN.] "Local comprehensive plan" has the meaning given it in section 473.852, subdivision 5.

Subd. 4. [LOCAL GOVERNMENT UNIT.] "Local government unit" or "local unit" has the meaning given it in section 473.852.

Subd. 5. [OFFICIAL CONTROLS.] "Official controls" has the meaning given it in section 473.852.

Subd. 6. [WATERSHED.] "Watershed" means a natural drainage area which crosses the borders of two or more local government units and which has boundaries substantially co-terminous with secondary or tertiary watersheds recognized by

the state water planning board, except that boundaries shall not cross a primary river nor a river forming the boundary between a metropolitan county and a county outside of the metropolitan area.

Subd. 7. [WATERSHED DISTRICT.] "Watershed district" means a district established under chapter 112.

Subd. 8. [WATERSHED MANAGEMENT ORGANIZATION.] "Watershed management organization" or "organization" means a watershed district wholly within the metropolitan area or an entity established under special law or a joint powers agreement wholly within the metropolitan area which performs some or all of the functions of a watershed district for a watershed and which has the characteristics and the authority specified under section 9.

Sec. 9. [473.877] [WATERSHED MANAGEMENT ORGANIZATION; AUTHORITY.]

Any agreement under section 471.59 to jointly or cooperatively manage or plan for the management of surface water in a watershed wholly within the metropolitan area may provide for a joint board having:

(a) the authority to prepare and adopt a plan meeting the requirements of section 10;

(b) the authority to review and approve local water management plans as provided in section 11;

(c) the authority of a watershed district under chapter 112 to regulate the use and development of land when one or more of the following conditions exists: (1) the local government unit exercising planning and zoning authority over the land under sections 366.10 to 366.19, 394.21 to 394.37, or 462.351 to 462.364, does not have a local water management plan approved and adopted in accordance with the requirements of section 11 or has not adopted the implementation program described in the plan; (2) an application to the local government unit for a permit for the use and development of land requires an amendment to or variance from the adopted local water management plan or implementation program of the local unit; (3) the local government unit has authorized the organization to require permits for the use and development of land.

(d) Other powers necessary to exercise the authority under clauses (a) to (c), including the power to enter into contracts for the performance of functions with governmental units or persons.

Sec. 10. [473.878] [WATERSHED PLANS.]

Subdivision 1. [REQUIREMENT.] A watershed management plan shall be prepared and adopted for each watershed wholly within the metropolitan area in accordance with the requirements of this section.

Subd. 2. [RESPONSIBLE UNITS.] Where a watershed management organization exists, the plan for the watershed shall be prepared and adopted by the organization. If a watershed management organization is not established by December 31, 1983, for any watershed located wholly outside of Hennepin and Ramsey counties, the county or counties containing the watershed shall prepare and adopt the watershed plan and shall have the planning, review, and permitting authority of a watershed management organization specified in section 9. If a watershed management organization is not established by December 31, 1983, for any watershed wholly or partly within Hennepin or Ramsey counties, the county or counties containing the watershed shall petition for the establishment of a watershed district under chapter 112, provided, however, that a district established pursuant to such a petition shall not have authority to plan or construct storm sewer separation projects without the agreement of all local governments having territory within the district. A watershed management organization may request a county to prepare all or part of a plan. A county may delegate the preparation of all or part of a plan to the county soil and water conservation district. Upon request of a statutory or home rule charter city or town, a county may delegate the preparation of all or part of a plan to the city or town.

Subd. 3. [GENERAL STANDARDS.] The watershed management plan shall extend through the year 1990 or any year thereafter which is evenly divisible by five. The plan shall contain the elements required by subdivision 4. Each element shall be set out in the degree of detail and prescription necessary to accomplish the purposes of sections 7 to 14, considering the character of existing and anticipated physical and hydrogeologic conditions, land use, and development and the severity of existing and anticipated water management problems in the watershed. The plan shall be prepared and submitted for review under subdivision 5 by December 31, 1985. Existing plans of a watershed management organization shall remain in force and effect until amended or superseded by plans adopted under sections 7 to 14. Existing or amended plans of a watershed management organization which meet the requirements of sections 7 to 14 may be submitted for review under subdivision 5.

Subd. 4. [CONTENTS.] The plan shall:

(a) Describe the existing physical environment, land use, and development in the area and the environment, land use, and development proposed in existing local and metropolitan comprehensive plans;

(b) *Present information on the hydrologic system and its components and existing and potential problems related thereto;*

(c) *State objectives and policies, including management principles, alternatives and modifications, water quality, and protection of natural characteristics;*

(d) *Set forth a management plan, including the hydrologic and water quality conditions that will be sought and significant opportunities for improvement;*

(e) *Describe conflicts between the watershed plan and existing plans of local government units;*

(f) *Set forth an implementation program consistent with the management plan, which includes a capital improvement program and standards and schedules for amending the comprehensive plans and official controls of local government units in the watershed to bring about conformance with the watershed plan; and*

(g) *Set out a procedure for amending the plan.*

Subd. 5. [REVIEW.] Upon completion of the plan but before final adoption by the organization, the organization shall submit the plan for review and comment to all counties, towns, and statutory and home rule charter cities having territory within the watershed. Any local government unit which expects that substantial amendment of its local comprehensive plan will be necessary in order to bring local water management into conformance with the watershed plan shall describe as specifically as possible, within its comments, the amendments to the local plan which it expects will be necessary. Sixty days after the submission to local government units for comment, the organization shall submit the plan, any comments received, and any appropriate amendments to the plan, to the board of the county or counties having territory within the watershed. The county shall approve or disapprove projects in the capital improvement program which may require the provision of county funds pursuant to section 112.60, subdivision 2, or section 14. The county shall have 60 days to complete its review of the capital improvement program. If the county fails to complete its review within the prescribed period, unless an extension is agreed to by the organization the program shall be deemed approved. If the watershed extends into more than one county and one or more counties disapprove of all or part of a capital improvement program while the other county or counties approve, the program shall be submitted to the water resources board for review pursuant to subdivision 7.

Subd. 6. [REVIEW BY METROPOLITAN COUNCIL.] After completion of the review under subdivision 5, the plan shall be submitted to the metropolitan council for review. Notwith-

standing any provision to the contrary in sections 112.46 and 473.165, the council shall review the plan in the same manner and with the same authority and effect as provided for the council's review of the comprehensive plans of local government units under section 473.175. The council shall comment on the apparent conformity with metropolitan system plans of any anticipated amendments to local comprehensive plans.

Subd. 7. [REVIEW BY STATE AGENCIES.] *After completion of the review under subdivision 6, the plan shall be submitted to the commissioner of natural resources and the pollution control agency for review and comment on the consistency of the plan with state laws and rules relating to water and related land resources, and to the water resources board for review under section 112.46. Except as otherwise provided in this subdivision, the water resources board shall review the plan as provided in section 112.46. The board shall review the plan for conformance with the requirements of chapter 112 and sections 7 to 14. The board shall not prescribe a plan, but may disapprove all or parts of a plan which it determines is not in conformance with the requirements of chapter 112 and sections 7 to 14. If the capital improvement program is the subject of a dispute between counties, the water resources board shall make a final decision on the issue. The decision shall be binding on the organization and the counties involved.*

Subd. 8. [ADOPTION; IMPLEMENTATION.] *The organization shall adopt and implement its plan within 120 days after compliance with the provisions of subdivision 7 and approval of the plan by the water resources board. Notwithstanding anything to the contrary in chapter 112, a watershed district may implement its plan and capital improvement program by resolution without petition or further review by the water resources board.*

Subd. 9. [AMENDMENTS.] *To the extent and in the manner required by the adopted plan, all amendments to the adopted plan shall be submitted to the towns, cities, county, and other agencies for review in accordance with the provisions of subdivisions 5 and 6.*

Sec. 11. [473.879] [LOCAL WATER MANAGEMENT PLANS.]

Subdivision 1. [REQUIREMENT.] *After the watershed plan is approved and adopted, or amended, pursuant to section 10, each local government unit having territory within the watershed shall prepare or cause to be prepared a local water management plan, capital improvement program, and official controls as necessary to bring local water management into conformance with the watershed plan within the time period prescribed in the implementation program of the watershed plan and, as neces-*

sary, shall prepare or cause to be prepared amendments to the local comprehensive plan.

Subd. 2. [STANDARDS; CONTENTS.] Each local plan, in the degree of detail required in the watershed plan, shall:

(a) Describe existing and proposed physical environment and land use;

(b) Define drainage areas and the volumes, rates, and paths of stormwater runoff;

(c) Identify areas and elevations for stormwater storage adequate to meet performance standards established in the watershed plan;

(d) Define water quality and water quality protection methods adequate to performance standards established in the watershed plan;

(e) Identify regulated areas; and

(f) Set forth an implementation program, including a description of official controls and, as appropriate, a capital improvement program.

Subd. 3. [REVIEW.] After consideration but before adoption by the governing body, each local unit shall submit its water management plan to the watershed management organization for review for consistency with the watershed plan adopted pursuant to section 10. The organization shall approve or disapprove the local plan or parts thereof. The organization shall have 60 days to complete its review. If the organization fails to complete its review within the prescribed period, unless an extension is agreed to by the local unit the local plan shall be deemed approved.

Subd. 4. [ADOPTION; IMPLEMENTATION.] After approval of the local plan by the organization, the local government unit shall adopt and implement its plan within 120 days and shall amend its official controls accordingly within 180 days.

Subd. 5. [AMENDMENTS.] To the extent and in the manner required by the organization, all amendments to local water management plans shall be submitted to the organization for review and approval in accordance with the provisions of subdivision 3 for the review of plans.

Sec. 12. [473.880] [EXEMPTION FROM LEVY LIMIT.]

Any levy to pay the increased costs to a local government unit or water shed management organization of implementing sec-

tions 10 and 11 or to pay costs of improvements and maintenance of improvements identified in an approved and adopted plan shall be in addition to any other taxes authorized by law and shall be disregarded in the calculation of limits on taxes imposed by chapter 275. Notwithstanding any provision to the contrary in chapter 112, a watershed district may levy a tax sufficient to pay the increased costs to the district of implementing sections 10 and 11. The proceeds of any tax levied under this section shall be deposited in a separate fund and expended only for the purposes authorized by this section.

Sec. 13. [473.881] [SPECIAL TAX DISTRICT.]

Subdivision 1. [WATERSHED MANAGEMENT TAX DISTRICT.] Any local government unit planning for water management under sections 10 and 11 may establish a watershed management tax district in the territory within the watershed, for the purpose of paying the costs of the planning required under sections 10 and 11. Any local government unit which has part of its territory within a watershed for which a plan has been adopted in accordance with section 10 and which has a local water management plan adopted in accordance with section 11 may establish a watershed management tax district in the territory within the watershed, for the purpose of paying capital costs of the water management facilities described in the capital improvement program of the plans and for the purpose of paying for normal and routine maintenance of the facilities.

Subd. 2. [PROCEDURE.] The district shall be established by ordinance adopted after a hearing. Notice of the time, place, and purpose of the hearing shall be published for two successive weeks in the official newspaper of the local government unit, ending at least seven days before the day of the hearing. The ordinance shall describe with particularity the territory or area to be included in the district. After adoption, the ordinance shall be filed with the county auditor and county recorder. The district may be dissolved by following the procedures prescribed for the establishment of the district.

Subd. 3. [TAX.] After adoption of the ordinance under subdivision 2, a local government unit may annually levy a tax on all taxable property in the district for the purposes for which the tax district is established. The proceeds of the tax shall be paid into a fund reserved for these purposes. Any proceeds remaining in the reserve fund at the time the tax is terminated or the district is dissolved shall be transferred and irrevocably pledged to the debt service fund of the local unit to be used solely to reduce tax levies for bonded indebtedness of taxable property in the district. A tax levied in accordance with this subdivision for paying capital costs is a levy for the payment of principal and interest on bonded indebtedness within the meaning of section 275.50, subdivision 5, clause (e).

Subd. 4. [BONDS.] After adoption of the ordinance under subdivision 2, and after a contract for the construction of all or part of an improvement has been entered into or the work has been ordered done by day labor, the local government unit may issue obligations in the amount it deems necessary to pay in whole or in part the capital cost incurred and estimated to be incurred in making the improvement. The obligations shall be payable out of the proceeds of the tax levied pursuant to subdivision 3. The local unit may by resolution of its governing body adopted prior to the sale of obligations pledge the full faith, credit and taxing power of the local unit to assure payment of the principal and interest in the event the proceeds of the tax levy in the district are insufficient to pay principal and interest. The amount of any taxes which are required to be levied outside of the territory of the tax district or taken from the general funds of the local unit to pay principal and interest on the obligations shall be reimbursed to the local unit from taxes levied within the territory of the tax district. Obligations shall be issued in accordance with chapter 475, except that an election is not required and the amount of any obligations shall not be included in determining the net indebtedness of the local unit under the provisions of any law or charter limiting indebtedness.

Sec. 14. [473.882] [WATERSHED MANAGEMENT ORGANIZATION; CAPITAL IMPROVEMENTS; PAYMENT BY COUNTY.]

Subdivision 1. [GENERAL AUTHORITY.] The authority provided to watershed districts in this section is in addition to the authority provided in chapter 112. A watershed management organization which has adopted a watershed plan in accordance with section 10 may certify for payment by the county as provided in this section all or any part of the cost of a capital improvement contained in the capital improvement program of the plan.

Subd. 2. [PROCEDURE.] A copy of the plan for the improvement shall be forwarded to the county board. The organization shall then hold a public hearing on the proposed improvement, following publication once each week for two successive weeks before the date of the hearing in a legal newspaper published in the county or counties in which a part or all of the affected waters and lands are located. The last publication shall occur not more than 30 days nor less than ten days before the hearing. The notice shall state the time and place of hearing, the general nature of the proposed improvement, the estimated cost, and the method by which the cost of the improvement is to be paid, including the cost to be allocated to each county under subdivision 3. Not less than ten days before the hearing, notice by mail shall be given to the counties and to each home rule charter or statutory city or town located wholly or partly within the territory of the watershed management organization. Failure to give mailed notice or defects in the notice shall not invalidate the proceedings. At the time and place specified in the notice the

organization shall hear all parties interested in the proposed improvement. If upon full hearing the organization finds that the improvement will be conducive to public health and promote the general welfare, and is in compliance with sections 7 to 14 and the plan adopted pursuant to section 10, it shall make findings accordingly, determine the cost of the improvement, and certify the cost to the county or counties for payment.

Subd. 3. [APPORTIONMENT OF COSTS.] If the territory of the watershed management organization extends into more than one county, the cost of the improvement shall be certified to the county boards in an amount bearing the same proportion to the cost of the improvement as the assessed value of all taxable property in the part of the territory of the organization located within each county bears to the assessed value of all taxable property in the territory of the organization.

Subd. 4. [COUNTY PAYMENT.] Each county receiving a certification for payment from a watershed management organization pursuant to this section shall provide funds to meet its proportionate share of the cost of the improvement as shown in the certification by the organization.

Subd. 5. [BONDS.] In order to make the payment required by subdivision 4, the county board of each county may issue general obligation bonds of the county in the amount necessary to pay all or part of the cost of improvements certified to the county board or to refund general obligation bonds issued for this purpose. The bonds shall be sold, issued, and secured in accordance with the provisions of chapter 475 for general obligation bonds, except as otherwise provided in this subdivision. No election shall be required.

Subd. 6. [TAX.] For the payment of principal and interest on the bonds issued under subdivision 5 and the payment required under subdivision 4, the county shall irrevocably pledge and appropriate the proceeds of an ad valorem tax levied on all taxable property located within the territory of the watershed management organization for which the bonds are issued. Each year until the reserve for payment of the bonds is sufficient to retire the bonds, the county shall levy on all taxable property in the territory of the organization, without respect to any statutory or other limitation on taxes, an amount of taxes sufficient to pay principal and interest on the bonds and to restore any deficiencies in reserves required to be maintained for payment of the bonds. If at any time the amounts available from the levy on property in the territory of the organization are insufficient to pay principal and interest on the bonds when due, the county shall make payment from any available funds in the county treasury. The amount of any taxes which are required to be levied outside of the territory of the watershed management organization or taken from the general funds of the county to pay principal or interest on the bonds shall be reimbursed to the county

from taxes levied within the territory of the watershed management organization.

Subd. 7. [MAINTENANCE LEVY.] For the purpose of creating a maintenance fund to be used for normal and routine maintenance of a work of improvement constructed in whole or part with money provided by the county pursuant to subdivision 4, the board of managers of a watershed district, with the approval of the county, may impose an ad valorem levy on all property located within the territory of the watershed district. The levy shall be certified, levied, collected, and distributed as provided in section 112.611, and shall be in addition to any other moneys levied and distributed to the district thereunder. The proceeds of the levy shall be deposited in a separate maintenance and repair account to be used only for the purpose for which the levy was made.

Sec. 15. [APPLICATION.]

Sections 7 to 14 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Amend the title as follows:

Page 1, delete line 6

Page 1, line 7, delete "board;"

Page 1, line 8, delete "establishing a"

Page 1, delete line 9

Page 1, line 10, delete "county and metropolitan"

Page 1, line 14, delete "subdivisions" and insert "a subdivision"

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

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

H. F. No. 1532, A bill for an act relating to tort actions; prohibiting the causes of action for wrongful life and wrongful birth; prohibiting a defense, an award of damages, or a penalty based on the failure or refusal to prevent a live birth; proposing new law coded in Minnesota Statutes, Chapter 145.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [145.424] [PROHIBITION OF TORT ACTIONS.]

Subdivision 1. [WRONGFUL LIFE ACTION PROHIBITED.] No person shall maintain a cause of action or receive an award of damages on behalf of himself based on the claim that but for the negligent conduct of another, he would have been aborted.

Subd. 2. [WRONGFUL BIRTH ACTION PROHIBITED.] No person shall maintain a cause of action or receive an award of damages on the claim that but for the negligent conduct of another, a child would have been aborted.

Subd. 3. [FAILURE OR REFUSAL TO PREVENT A LIVE BIRTH.] Nothing in this section shall be construed to preclude a cause of action for intentional or negligent malpractice or any other action arising in tort based on a claim that, but for the negligent conduct of another, tests or treatment would have been provided or would have been provided properly which would have made possible the prevention, cure, or amelioration of any disease, defect, deficiency, or handicap; provided, however, that abortion shall not have been deemed to prevent, cure, or ameliorate any disease, defect, deficiency, or handicap. The failure or refusal of any person to perform or have an abortion shall not be a defense in any action, nor shall that failure or refusal be considered in awarding damages or in imposing a penalty in any action."

With the recommendation that when so amended the bill pass.

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

H. F. No. 1611, A bill for an act relating to garnishment; authorizing an employer to recover expenses incurred for administering garnishment of an employee's wages; amending Minnesota Statutes 1980, Section 571.57.

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

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

H. F. No. 1719, A bill for an act relating to courts; authorizing the chief judge of the sixth judicial district to fill vacancies in

the office of judicial officer in St. Louis, Steele and Carlton counties; amending Minnesota Statutes 1981 Supplement, Section 487.08, Subdivision 2.

Reported the same back with the following amendments:

Amend the title as follows:

Page 1, line 3, delete "sixth"

With the recommendation that when so amended the bill pass.

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

H. F. No. 1734, A bill for an act relating to courts; authorizing the continuance of the office of court referee in the second and fourth judicial districts; amending Minnesota Statutes 1981 Supplement, Section 484.70, Subdivision 1.

Reported the same back with the following amendments:

Page 1, lines 17 and 18, delete "*the persons holding the office of referee*" and insert "*the offices*"

Page 1, line 20, delete "*to hold office*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

H. F. No. 1744, A bill for an act relating to crimes; providing prima facie evidentiary standards for determining if persons were driving while under the influence of alcohol; enhancing criminal penalties for persons who are convicted of more than one offense of driving while under the influence of alcohol or a controlled substance; enhancing the length of revocation of a driver's license or operating privileges for each additional offense of driving while under the influence of alcohol or a controlled substance; requiring results of preliminary screening tests be recorded on a driver's record if there is an alcohol concentration between .05 and .10; authorizing chemical tests for persons incapable of refusing to submit to tests; authorizing written blood sample reports into evidence; amending Minnesota Statutes 1980, Sections 169.121, Subdivisions 1, 2, 3, 4, and 6; 169.123, Subdivisions 2, 3, 4, and by adding a subdivision; 171.12, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 169.121, Subdivision 5.

Reported the same back with the following amendments:

Page 1, line 28, after "any" reinstate "(MOTOR)"

Page 4, after line 11, insert:

"The attorney in the jurisdiction in which the violation occurred who is responsible for prosecution of misdemeanor violations of section 169.121 shall also be responsible for prosecution of gross misdemeanor violations of section 169.121."

Page 6, line 1, delete "For"

Page 6, delete lines 2 and 3

Page 6, line 4, delete "violation."

Page 7, line 13, strike "0.10" and insert "0.05"

Page 8, delete lines 2 through 7

Page 9, line 27, strike "0.10" and insert "0.05"

Page 10, delete section 11 and insert:

"Sec. 10. Minnesota Statutes 1980, Section 169.123, Subdivision 9, is amended to read:

Subd. 9. [LIMITED LICENSE.] In any case in which a license has been revoked under this section, the commissioner may issue a limited license to the driver. The commissioner in issuing a limited license may impose the conditions and limitations which in his judgment are necessary to the interests of the public safety and welfare, including re-examination of the driver's qualifications, attendance at a driver improvement clinic, or attendance at counseling sessions. The license may be limited to the operation of particular vehicles and to particular classes and time of operation. The limited license issued by the commissioner shall clearly indicate the limitations imposed and the driver operating under a limited license shall have the license in his possession at all times when operating as a driver. In determining whether to issue a limited license, the commissioner shall consider the number and the seriousness of prior convictions and the entire driving record of the driver.

When the revocation under this section is the second such revocation within a three-year period, no limited license shall be issued until one-half of the revocation period has expired. When the revocation is the third such revocation within a three-year period, no limited license shall be issued during the term of the revocation.

Sec. 11. [REVISOR INSTRUCTION.]

The revisor is directed to renumber section 168.041 to be section 171.241."

Renumber the sections

Amend the title as follows:

Page 1, line 16, after the semicolon insert "instruction to the revisor;"

Page 1, line 19, after "and" insert "9"

Page 1, line 19, delete "by adding a subdivision"

Page 1, line 19, after the semicolon delete "171.12, by"

Page 1, line 20, delete "adding a subdivision;"

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

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1746, A bill for an act relating to port authorities; authorizing seaway port authorities to establish a fiscal year based on the season for international shipping through the St. Lawrence Seaway; amending Minnesota Statutes 1981 Supplement, Section 458.14.

Reported the same back with the recommendation that 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. 1815, A bill for an act relating to highway traffic regulations; allowing the use of certain combinations of vehicles; allowing certain axle weight combinations; establishing allowable axle weight combinations; establishing allowable axle weights on restricted routes; modifying the distribution of receipts collected as fines; amending Minnesota Statutes 1981 Supplement, Sections 169.81, Subdivision 3; 169.825, Subdivisions 8, 10, and 12; 299D.03, Subdivision 5; repealing Minnesota Statutes 1981 Supplement, Section 169.861.

Reported the same back with the following amendments:

Page 1, after line 13, insert:

"Section 1. Minnesota Statutes 1980, Section 169.80, Subdivision 1, is amended to read:

Subdivision 1. [LIMITATIONS.] It is a misdemeanor for a person to drive or move, or for the owner to cause or knowingly permit to be driven or moved, on a highway a vehicle or vehicles of a size or weight exceeding the limitations stated in sections 169.80 to 169.88, or otherwise in violation of sections 169.80 to 169.88, and the maximum size and weight of vehicles as prescribed in sections 169.80 to 169.88 shall be lawful throughout this state, and local authorities shall have no power or authority to alter these limitations except as express authority may be granted in sections 169.80 to 169.88.

When all the axles of a vehicle or combination of vehicles are weighed separately the sum of the weights of the axles so weighed shall be evidence of the total gross weight of the vehicle or combination of vehicles so weighed.

When each of the axles of any group that contains two or more consecutive axles of a vehicle or combination of vehicles have been weighed separately the sum of the weights of the axles so weighed shall be evidence of the total gross weight on the group of axles so weighed.

When, in any group of three or more consecutive axles of a vehicle or combination of vehicles any axles have been weighed separately and two or more axles consecutive to each other in the group have been weighed together, the sum of the weights of the axles weighed separately and the axles weighed together shall be evidence of the total gross weight of the group of axles so weighed.

The provisions of sections 169.80 to 169.88 governing size, weight, and load shall not apply to fire apparatus, or to implements of husbandry temporarily moved upon a highway, or to loads of loose hay or corn stalks if transported by a horse-drawn vehicle or drawn by a farm tractor, or to a vehicle operated under the terms of a special permit issued as provided by law. For purposes of sections 169.80 to 169.88, a specialized vehicle resembling a low-slung two wheel trailer having a short bed or platform shall be deemed to be an implement of husbandry when the vehicle is used exclusively to transport implements of husbandry; and the term "temporarily moved upon a highway" shall mean a movement not to exceed 50 miles.

In addition to any other special permits authorized, an annual permit may be issued authorizing movements *on interstate highway and movements exceeding 50 miles on non-interstate highways* of oversize vehicles and loads when the vehicles or combina-

tion of vehicles are used exclusively to transport implements of husbandry. Annual permits are issued in accordance with the applicable provisions of section 169.86, except that the transporting vehicle or combination of vehicles may be moved at the discretion of the permittee without prior route approval from the permit issuing office of the department of transportation if:

(a) The overall width of the transporting vehicle, including load, does not exceed 12 feet;

(b) The transporting vehicle otherwise complies with equipment requirements and length, height and weight limitations prescribed by this chapter;

(c) The movement is made after the hour of sunrise and not later than 30 minutes after sunset;

(d) The movement is not made when visibility is impaired by weather, fog or other conditions rendering persons and vehicles not clearly visible at a distance of 500 feet, or on Sundays *after twelve o'clock noon*, and holidays;

(e) The transporting vehicle shall display at the front and rear end of the load or vehicle a pair of flashing amber lights *whenever the overall width of the vehicle exceeds ten feet, six inches*, as provided in section 169.59, subdivision 4; and

(f) The movement, if made on a trunk highway, is made on a trunk highway with a surfaced roadway width of not less than 24 feet.

The fee for an annual permit is \$24."

Renumber the sections

Page 2, line 23, delete the new language

Page 9, line 26, after "to" insert "*the maximum*"

Page 9, line 27, after "weight" insert "*as limited in section 169.825, subdivision 10, clause (c)*"

Amend the title as follows:

Page 1, line 8, after "amending" insert "Minnesota Statutes 1980, Section 169.80, Subdivision 1; and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Mann from the Committee on Transportation to which was referred:

H. F. No. 1817, A bill for an act relating to transportation; adding a new route to the trunk highway system in substitution of an existing route; discontinuing and removing a route from the trunk highway system; providing for the disposal of surplus property; exempting the state transportation plan from the provisions of the administrative procedure act; requiring driver qualifications and safety requirements for certain motor carriers; regulating building movers and establishing fees; allowing expenditures from the state airports fund for educational programs to promote interest and safety in aeronautics; amending Minnesota Statutes 1980, Sections 161.41; 174.03, Subdivisions 1 and 2; 360.015, Subdivision 2; 360.017, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 221.011, Subdivision 22; and 221.81; proposing new law coded in Minnesota Statutes, Chapter 221.

Reported the same back with the following amendments:

Page 3, after line 7, insert:

Sec. 4. Minnesota Statutes 1980, Section 173.02, Subdivision 2, is amended to read:

Subd. 2. "Advertising device" means any billboard, sign, notice, poster, display, or other device visible to and primarily intended to advertise and inform or to attract or which does attract the attention of operators and occupants of motor vehicles (ON THE INTERSTATE SYSTEM OF HIGHWAYS) and shall include any structure erected primarily for use in connection with the display of any such device and all lighting or other attachments used in connection therewith."

Page 8, line 6, delete "\$300" and insert "\$150"

Page 8, line 8, delete "\$300" and insert "\$100"

Page 8, line 13, delete "\$20" and insert "\$50"

Page 8, line 17, delete "\$100" and insert "\$200"

Renumber the sections

Page 11, line 6, delete "4," and after "7," insert "8 and" and after "9" delete "and 10"

Page 11, line 7, after the period delete the balance of the line

Page 11, delete line 8

Amend the title as follows:

Page 1, line 14, after "161.41;" insert "173.02, Subdivision 2;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

H. F. No. 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.

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

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

S. F. No. 378, A bill for an act relating to marriage dissolution; clarifying factors to consider in awarding maintenance; amending Minnesota Statutes 1980, Section 518.552.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 518.552, is amended to read:

518.552 [MAINTENANCE.]

Subdivision 1. In a proceeding for dissolution of marriage or legal separation, or in a proceeding for maintenance following dissolution of the marriage by a court which lacked personal jurisdiction over the absent spouse and which has since acquired jurisdiction, the court may grant a maintenance order for either spouse if it finds that the spouse seeking maintenance:

(a) Lacks sufficient property, including marital property apportioned to him, to provide for his reasonable needs, especially during a period of training or education, and

(b) Is unable to adequately support himself after considering all relevant circumstances through appropriate employment

or is the custodian of a child whose condition or circumstances make it appropriate that the custodian not be required to seek employment outside the home.

Subd. 2. The maintenance order shall be in amounts and for periods of time, *including permanently*, as the court deems just, without regard to marital misconduct, and after considering all relevant factors including:

(a) The financial resources of the party seeking maintenance, including marital property apportioned to him, and his ability to meet his needs independently, including the extent to which a provision for support of a child living with the party includes a sum for that party as custodian;

(b) The time necessary to acquire sufficient education or training to enable the party seeking maintenance to find appropriate employment, *and the probability, given the spouse's age and skills, of completing education or training and becoming fully self-supporting*;

(c) The standard of living established during the marriage *and the difference between what the spouse from whom maintenance is sought earns and can reasonably be expected to earn, and what the spouse who seeks maintenance earns and can reasonably be expected to earn, considering each spouse's age, education, experience and health*;

(d) The duration of the marriage *and, in the case of a homemaker, the length of absence from employment and the extent to which any education, skills, or experience have become outmoded and earning capacity has become permanently diminished*;

(e) The age, and the physical and emotional condition of the spouse seeking maintenance; (AND)

(f) The ability of the spouse from whom maintenance is sought to meet his needs while meeting those of the spouse seeking maintenance; and

(g) The contribution of each party in the acquisition, preservation, depreciation, or appreciation in the amount or value of the marital property, as well as the contribution of a spouse as a homemaker."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 685, 1050, 1068, 1365, 1366, 1532, 1611, 1719, 1734, 1746, 1815, 1817 and 1831 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1538 and 378 were read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced :

Rose and Fjoslien introduced :

H. F. No. 2067, A bill for an act relating to unemployment compensation; redefining wages; providing for rate notices; regulating experience rating transfers; regulating eligibility for compensation; providing for determination of claims; providing for collection of contributions, reimbursements, and overpayments; providing penalties; amending Minnesota Statutes 1980, Sections 268.04, Subdivision 25; 268.06, Subdivisions 22, 25, and 28; 268.08, Subdivisions 1, 3, and 6; 268.09, Subdivisions 1, 2, and 3; 268.10, Subdivisions 1 and 2; 268.12, Subdivision 13; 268.16, Subdivisions 1 and 2; 268.18, Subdivisions 1, 2, 4, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapter 268; repealing Minnesota Statutes 1980, Section 268.16, Subdivision 3, as amended.

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

Anderson, I., introduced :

H. F. No. 2068, A bill for an act relating to intoxicating liquor; authorizing the city of International Falls to issue one short term on-sale liquor license.

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

Rothenberg introduced :

H. F. No. 2069, A bill for an act relating to victim reparation for wrongful death; a clarification of the time limitations for maintaining an action for death by intentional wrongful act where the act causing the death constitutes the crime of murder; amending Minnesota Statutes 1980, Section 573.02, Subdivision 1.

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

Den Ouden introduced:

H. F. No. 2070, A bill for an act relating to the environment; transferring the functions of the environmental quality board under the environmental coordination procedures act to the commissioner of energy, planning and development and the business licensing bureau; amending Minnesota Statutes 1980, Sections 116C.24, Subdivision 3, and by adding a subdivision; 116C.25; 116C.32; 116C.33, Subdivision 2; and 116C.34.

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

Rees introduced:

H. F. No. 2071, A bill for an act relating to insurance; authorizing the commissioner to enjoin violations of chapter 60A; amending Minnesota Statutes 1981 Supplement, Section 60A.17, Subdivision 6c.

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

Otis introduced:

H. F. No. 2072, A bill for an act relating to crimes; requiring mandatory jail terms as condition of probation for driving under the influence; requiring the court or prosecutor to give reasons for reduction or dismissal of charges; expanding peace officers' powers to administer blood alcohol tests; reducing blood alcohol concentration required for certain testing, driver license revocation, and statutory violation; permitting imposition of community service duties or practical alcohol education programs as conditions of probation; restricting issuance of limited drivers' licenses; requiring mandatory jail sentences for driving after certain license revocations; requiring mandatory minimum term of imprisonment for criminal negligence resulting in death; prescribing penalties; amending Minnesota Statutes 1980, Sections 169.121, Subdivisions 1, 2, 3, 4, and by adding a subdivision; 169.123, Subdivisions 2, 4, 5, 5a, 6, 7, 9, and by adding a subdivision; 169.129; 171.30; and 609.21; Minnesota Statutes 1981 Supplement, Section 169.121, Subdivision 5; proposing new law coded in Minnesota Statutes, Chapter 169.

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

Voss introduced:

H. F. No. 2073, A bill for an act relating to resource recovery; permitting the use of waste oil heaters in commercial and industrial buildings; proposing new law coded in Minnesota Statutes, Chapter 299F.

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

Welch; Carlson, L., and Reif introduced:

H. F. No. 2074, A bill for an act relating to health; adding a factor for determining whether to regulate a human services occupation; requiring a surcharge on health related licensing board licenses; changing health related licensing board rule review authority; allowing certain practices under rule authority; changing the composition of the human services occupations advisory council; appropriating money; amending Minnesota Statutes 1980, Sections 214.001, Subdivision 2; 214.13, Subdivisions 2 and 3; 214.14, Subdivision 1; and Minnesota Statutes 1981 Supplement, Section 214.06, Subdivision 1.

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

Begich introduced:

H. F. No. 2075, A bill for an act relating to retirement; authorizing increases in benefits payable by the Eveleth police and fire trust fund.

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

Kelly introduced:

H. F. No. 2076, A bill for an act relating to commerce; providing certain warranty protection to consumers; amending Minnesota Statutes 1980, Section 325G.19, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 325G.

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

Swanson and Kaley introduced:

H. F. No. 2077, A bill for an act relating to insurance; increasing the percentage of the state comprehensive health plan premium that may be used to pay certain fees and expenses; amending Minnesota Statutes 1980, Section 62E.11, Subdivision 3.

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

Sviggum, Dahlvang and Rose introduced:

H. F. No. 2078, A bill for an act relating to state government; authorizing the commissioner of the department of economic security to delegate certain powers; amending Minnesota Statutes 1980, Section 268.011, Subdivision 2.

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

Fjoslien introduced:

H. F. No. 2079, A bill for an act relating to state lands; authorizing the sale of a certain lakeshore lot in Douglas County.

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

Anderson, I.; Evans; Kalis; Battaglia and Jacobs introduced:

H. F. No. 2080, A bill for an act relating to economic development; providing for a Minnesota conference on job formation; appropriating money.

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

Gruenes and Piepho introduced:

H. F. No. 2081, A bill for an act relating to labor; changing the definition of "plumber's apprentice" for the purpose of employment licensing; amending Minnesota Statutes 1980, Section 326.01, Subdivision 9.

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

Rees, McDonald, Laidig and Sviggum introduced:

H. F. No. 2082, A bill for an act relating to the environment; providing for regulation of storage facilities for waste; prohibiting acquisition of certain land by condemnation; authorizing the metropolitan council to abrogate the development moratorium on sites and buffer areas for waste facilities; amending Minnesota Statutes 1980, Sections 115A.03, Subdivisions 6, 25, 35, 36, and by adding subdivisions; 115A.10; 115A.18; 115A.22, Subdivisions 1 and 5; 115A.25, Subdivision 1; 116.06, by adding subdivisions; 116.41, Subdivisions 1 and 1a; 473.516, Subdivision 1; 473.811, Subdivision 1; 473.833, Subdivision 4; Minnesota Statutes 1981 Supplement, Sections 115A.06, Subdivision 4; 115A.08, Subdivision 4; 115A.11, Subdivision 1; 115A.20; 115A.21, Subdivisions 1 and 2; 115A.23; 115A.24, Subdivisions 1 and 2; 473.153, Subdivision 3; 473.803, Subdivision 1a; repealing Minnesota Statutes 1980, Section 473.833, Subdivision 5.

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

Kalis, Clawson, Forsythe, Voss and Heinitz introduced:

H. F. No. 2083, A bill for an act relating to state government; establishing a chemical dependency board; transferring powers and duties to the new board from the alcohol and other drug abuse section; abolishing the alcohol and other drug abuse section; proposing new law coded as Minnesota Statutes, Chapter 254B; repealing Minnesota Statutes 1980, Sections 254A.01; 254A.02; 254A.03, Subdivision 2; 254A.031; 254A.04; 254A.07, Subdivision 1; 254A.08, Subdivision 2; 254A.10; 254A.12; 254A.14; 254A.15; 254A.16; Minnesota Statutes 1981 Supplement, Sections 254A.03, Subdivisions 1 and 3; 254A.05, Subdivision 1; 254A.07, Subdivision 2; 254A.08, Subdivision 1; and 254A.09.

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

Wenzel introduced:

H. F. No. 2084, A bill for an act relating to agriculture; establishing a plan of consumption of milk for the purpose of increasing dairy sales; allowing a minimum consumption of milk by pupils in public and nonpublic schools; requiring school districts to provide milk to all elementary and secondary pupils in public and nonpublic schools; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 123.

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

Stumpf, Hauge, Wenzel and Anderson, B., introduced :

H. F. No. 2085, A bill for an act relating to retirement; volunteer ambulance services; authorizing the establishment of local volunteer ambulance attendants relief associations; authorizing the relief association to pay lump sum service pensions and other retirement benefits; establishing service pension maximums based on the ability to finance the service pension amount; establishing minimum financing guidelines; imposing an obligation to provide financing on the affiliated volunteer ambulance service; amending Minnesota Statutes 1980, Section 69.80; proposing new law coded as Minnesota Statutes, Chapter 424B.

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

Heinitz, Weaver, Wieser, Jennings and McDonald introduced :

H. F. No. 2086, A bill for an act relating to taxation; changing the distribution of cigarette and tobacco tax revenues; amending Minnesota Statutes 1980, Section 297.13, Subdivision 1.

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

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

H. F. No. 2087, A bill for an act relating to taxation; imposing the sales tax on sales of building materials purchased for use in another state; amending Minnesota Statutes 1980, Section 297A.25, Subdivision 1.

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

Marsh, Otis, Metzen and Heap introduced :

H. F. No. 2088, A bill for an act relating to economic development; authorizing the formation of a state development company for small business aid purposes; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 362.

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

Marsh, Ludeman, Frerichs, McDonald and Evans introduced:

H. F. No. 2089, A bill for an act relating to taxation; reducing income tax rates in certain years; amending Minnesota Statutes 1981 Supplement, Section 290.06, Subdivision 2c.

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

Minne; Begich; Anderson, I.; Johnson, C., and Luknic introduced:

H. F. No. 2090, A bill for an act relating to taxation; requiring notification to school districts of certain property tax assessment challenge proceedings; authorizing school districts to participate at certain hearings; amending Minnesota Statutes 1980, Sections 278.01; and 278.05, Subdivision 2.

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

Anderson, G.; Carlson, D.; Osthoff; Kahn and Weaver introduced:

H. F. No. 2091, A bill for an act relating to the arts; requiring the state arts board to give special consideration to certain individuals and organizations; changing requirements for advisory committee members; requiring written reports from advisory committees to applicants for assistance; amending Minnesota Statutes 1980, Section 139.10, Subdivisions 1 and 2.

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

Ellingson introduced:

H. F. No. 2092, A bill for an act relating to corporations; correcting certain errors; removing certain deficiencies and ambiguities; and amending Minnesota Statutes 1981 Supplement, Sections 300.083, Subdivision 2; 300.49, Subdivision 1; 302A.011, Subdivisions 4, 10, 17, 21, 25, 29, 30, and 31; 302A.021, Subdivisions 2, 4, 7, and 8; 302A.111, Subdivisions 2, 3, and 4; 302A.115, Subdivision 2; 302A.123; 302A.131; 302A.135, Subdivisions 2 and 4; 302A.181, Subdivision 3; 302A.201, Subdivision 2; 302A.207; 302A.235; 302A.239, Subdivision 1; 302A.241, Subdivisions 1 and 2; 302A.243; 302A.251, Subdivisions 2 and 3; 302A.255, Subdivision 1; 302A.401, Subdivision 2; 302A.403, Subdivisions 2 and 4; 302A.405, Subdivision 1; 302A.413, Subdivision 4; 302A.431, Subdivision 2; 302A.433, Subdivisions 1 and 2; 302A.435, Subdivision 1; 302A.437, Subdivision 1; 302A.443; 302A.445, Subdivisions 1 and 6; 302A.455; 302A.457, Subdivi-

sions 1 and 2; 302A.461, Subdivision 2; 302A.463; 302A.467; 302A.521, Subdivision 2; 302A.551, Subdivisions 1 and 2; 302A.559, Subdivision 1; 302A.613, Subdivisions 2 and 3; 302A.661, Subdivision 2; 302A.721, Subdivision 2; 302A.723, Subdivision 1; 302A.727, Subdivision 2; 302A.729, Subdivision 1; 302A.731, Subdivision 2; 302A.733, Subdivision 1; 302A.741; 302A.751, Subdivisions 2 and 3; 302A.781, Subdivision 1; 302A.821, Subdivisions 4 and 5; repealing Minnesota Statutes 1981 Supplement, Sections 302A.011, Subdivision 35; and 302A.241, Subdivision 3.

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

Ellingson introduced:

H. F. No. 2093, A bill for an act relating to state departments and agencies; secretary of state; eliminating and simplifying certain filings; amending Minnesota Statutes 1980, Sections 303.14, Subdivision 3, as amended; 333.001, Subdivisions 2 and 3; Minnesota Statutes 1981 Supplement, Sections 301.071, Subdivision 2; 301.42, Subdivision 4; 303.05, Subdivision 1; and 322A.16; repealing Minnesota Statutes 1981 Supplement, Sections 301.06, Subdivision 3; 301.07; 301.071, Subdivision 1; and 301.33, Subdivision 3.

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

Esau, Mann, Wigley, Schafer and Piepho introduced:

H. F. No. 2094, 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.

Esau, Mann, Piepho and Peterson, B., introduced:

H. F. No. 2095, A bill for an act relating to meetings of public bodies; requiring that meetings be held in places accessible to handicapped persons; amending Minnesota Statutes 1980, Section 471.705, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Lemen, Sherwood, Weaver, Evans and Haukoos introduced:

H. F. No. 2096, A bill for an act relating to taxation; income; establishing a credit for upgrading certain waste disposal systems located on shorelands; 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.

Ogren, Wenzel, Valan, Stumpf and Brinkman introduced:

H. F. No. 2097, A bill for an act relating to natural resources; requiring the waste management board to give first priority to incineration and recycling of hazardous wastes and avoidance of land disposal; postponing the certification of a hazardous waste land disposal facility; amending Minnesota Statutes 1981 Supplement, Sections 115A.11, Subdivision 1; and 115A.24, Subdivision 1.

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

Kalis introduced:

H. F. No. 2098, A bill for an act relating to retirement; teachers retirement association; extending the time limit for the purchase of service credit for military service leaves of absence for certain veterans; amending Minnesota Statutes 1981 Supplement, Section 354.53, Subdivisions 1 and 3.

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

Kalis introduced:

H. F. No. 2099, A bill for an act relating to education; authorizing school districts to transfer money from the capital expenditure fund to the general fund.

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

Mehrkens and Stowell introduced:

H. F. No. 2100, A bill for an act relating to transportation; providing for the construction of a new bridge crossing the Mississippi River at Wabasha; appropriating money.

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

Rodriguez, C., introduced:

H. F. No. 2101, A bill for an act relating to transportation; modifying the provisions for financial assistance for certain services under the metropolitan transit service demonstration program; amending Minnesota Statutes 1981 Supplement, Section 174.265, Subdivision 4.

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

Levi, Zubay and Nelsen, B., introduced:

H. F. No. 2102, A bill for an act relating to education; establishing four levels of extended discretionary aids and levies for the 1985-1986 school year and each year thereafter; establishing extended discretionary aids and levies for the 1983-1984 and 1984-1985 school years; amending Minnesota Statutes 1980, Section 275.125, Subdivision 18, and by adding a subdivision; Minnesota Statutes 1981 Supplement, Section 124.212, Subdivision 1; 124.2128, Subdivision 1; 275.125, Subdivisions 2a, 2d, and 9; proposing new law coded in Minnesota Statutes, Chapter 124; repealing Minnesota Statutes 1981 Supplement, Sections 124.2123; 124.2124, as amended; 124.2125, as amended; 124.2128, Subdivision 6; and 275.125, Subdivisions 2e, 6b, 6c, 7a, and 7c.

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

Kelly and Vanasek introduced:

H. F. No. 2103, A bill for an act relating to the environment; requiring testing of certain pipelines for integrity; providing civil penalties; proposing new law coded in Minnesota Statutes, Chapter 116.

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

Weaver, Munger, Jacobs and Valento introduced:

H. F. No. 2104, A bill for an act relating to the disposal and reuse of abandoned tires; defining terms; establishing an abandoned tire recycling account in the state treasury and providing for the expenditure of money in the account; granting certain powers to counties and cities relative to tire dumps and the disposal of used tires; imposing duties and responsibilities on the pollution control agency; providing for the licensure and regula-

tion of tire processors; imposing an excise tax supplemental to the general sales tax on the sale at retail of tires; imposing a registration and transfer tax on certain vehicles; providing for certain tax credits; appropriating money; amending Minnesota Statutes 1980, Section 290.06, by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapter 168B.

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

Simoneau introduced:

H. F. No. 2105, A bill for an act relating to credit unions; allowing certain nonmembers to establish individual retirement accounts; amending Minnesota Statutes 1980, Section 52.135.

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

Vanasek, Schreiber, Novak and Blatz introduced:

H. F. No. 2106, A bill for an act relating to taxation; income; specifying the deduction for use of an automobile while making a charitable contribution; amending Minnesota Statutes 1981 Supplement, Section 290.21, Subdivision 3.

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

McEachern introduced:

H. F. No. 2107, A bill for an act relating to education; authorizing school districts to charge fees for secondary school programs and activities that do not have credit toward graduation; authorizing school districts to levy up to three mills for secondary school programs and activities that do not have credit toward graduation; requiring a public hearing prior to a proposed levy; requiring the district to present a fee schedule and program and activity costs at a public hearing; requiring a reverse referendum on a proposed levy; amending Minnesota Statutes 1980, Sections 120.73, Subdivision 1; and 275.125, by adding a subdivision.

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

Sarna and Murphy introduced:

H. F. No. 2108, A bill for an act relating to no-fault automobile insurance; providing for reduced premiums for certain qualified drivers; 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.

Murphy, Wynia and Johnson, D., introduced:

H. F. No. 2109, A bill for an act relating to automobile insurance; limiting the right of an insurer to cancel or reduce the limits of a policy in certain circumstances; making miscellaneous form changes; amending Minnesota Statutes 1980, Section 65B.15, Subdivision 1.

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

Olsen, Himle, Rothenberg, Gustafson and Tomlinson introduced:

H. F. No. 2110, A bill for an act relating to taxation; providing for homestead treatment of certain condominium leased land; clarifying use of additional sales ratio study information; amending Minnesota Statutes 1980, Sections 273.13, Subdivision 7c; and 278.05, Subdivision 4.

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

Haukoos, Dempsey, Novak, Blatz and Brinkman introduced:

H. F. No. 2111, A bill for an act relating to municipal industrial development; authorizing municipalities to waive certain property taxes; amending Minnesota Statutes 1981 Supplement, Section 474.03.

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

Gustafson introduced:

H. F. No. 2112, A bill for an act relating to criminal justice; providing for appointment of a peace officer to the sentencing guidelines commission; amending Minnesota Statutes 1980, Section 244.09, Subdivision 2.

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

Gustafson introduced:

H. F. No. 2113, A bill for an act relating to agriculture; requiring state grain inspection and grading at terminal warehouses; amending Minnesota Statutes 1980, Section 17B.11.

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

Heinitz; Jennings; Wynia; Anderson, B., and Brinkman introduced:

H. F. No. 2114, A bill for an act relating to economic development; granting a state tax credit to certain business firms which contribute to neighborhood organizations or engage in activities which tend to upgrade impoverished areas of the state; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 362.

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

Jude; Ogren; Anderson, I.; Ewald and Luknic introduced:

H. F. No. 2115, A bill for an act relating to natural resources; requiring rules and actions of the commissioner to be consistent with local zoning ordinances; amending Minnesota Statutes 1980, Section 84.03.

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

Wigley; Johnson, C., and Piepho introduced:

H. F. No. 2116, A bill for an act relating to Blue Earth County; permitting county board members to serve on the county housing and redevelopment authority.

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

Battaglia and Begich introduced:

H. F. No. 2117, A bill for an act relating to state parks; restating the boundaries of Tower Soudan state park; authorizing conveyance of certain park lands.

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

Battaglia and Begich introduced:

H. F. No. 2118, A bill for an act relating to liquor; permitting counties to issue off-sale licenses in unincorporated areas; amending Minnesota Statutes 1980, Section 340.11, Subdivision 10a.

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

Berkelman introduced:

H. F. No. 2119, A bill for an act relating to taxation; extending the redemption period for certain tax-forfeited land.

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

Berkelman introduced:

H. F. No. 2120, A bill for an act relating to public welfare; changing liquid asset limits for medical assistance eligibility; amending Minnesota Statutes 1981 Supplement, Section 256B.06, Subdivision 1, as amended by a law passed in the 1981 third special session styled as House File No. 2, Article I, Section 32.

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

Drew, Mehrkens and McCarron introduced:

H. F. No. 2121, A bill for an act relating to crimes; defining "vulnerable adult" under the vulnerable adult reporting law; amending Minnesota Statutes 1980, Section 626.557, Subdivision 2.

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

Rose and Hanson introduced:

H. F. No. 2122, A bill for an act relating to the city of Roseville; providing an exception from the Roseville police civil service system for the chief and deputy chief of police.

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

Brandl, Wynia, Heinitz, Byrne and Haukoos introduced:

H. F. No. 2123, A bill for an act relating to public welfare; modifying certain provisions relating to medical assistance; providing for a case management system and competitive bidding procedures; allowing a cause of action against responsible relatives; providing for payments to health maintenance organizations; allowing certain claims against the homesteads of recipients; altering eligibility standards related to income and liquid assets; amending Minnesota Statutes 1980, Sections 256B.01; 256B.04, by adding a subdivision; 256B.05, Subdivision 2; 256B.06, Subdivision 3; 256B.14; 256B.19, Subdivision 1; 256B.27, Subdivision 3; 510.05; 524.3-805; 525.16; Minnesota Statutes 1981 Supplement, Sections 256.966; 256B.06, Subdivision 1, as amended; 256B.15; and 525.145.

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

Lemen and Sherwood introduced:

H. F. No. 2124, A bill for an act relating to retirement; teachers retirement association; authorizing the purchase of prior service credit by certain persons.

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

Stumpf and Nysether introduced:

H. F. No. 2125, A bill for an act relating to the Red River watershed; naming all counties in which the special taxing authority of certain watershed districts applies; amending Laws 1976, Chapter 162, Section 1.

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

Osthoff, Ewald, Metzen, Dahlvang and Sarna introduced:

H. F. No. 2126, A bill for an act relating to motor vehicles; exempting certain persons from the motor vehicle dealer licensing requirements; amending Minnesota Statutes 1980, Section 168.27, Subdivision 1.

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

Ogren, Wenzel, Sherwood, Evans and Luknic introduced:

H. F. No. 2127, A bill for an act relating to transportation; authorizing the erection of tourist-oriented signs on excess trunk highway rights-of-way; proposing new law coded in Minnesota Statutes, Chapter 173.

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

Eken, Stumpf and Stadum introduced:

H. F. No. 2128, A bill for an act relating to Polk County; authorizing the county to establish subordinate service areas to provide and finance governmental services.

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

Byrne; Norton; Jude; Peterson, B., and Heinitz introduced:

H. F. No. 2129, A bill for an act relating to nonjudicial resolution of disputes; establishing a study commission; requiring a report to the governor and legislature.

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

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

H. F. No. 2130, A bill for an act relating to transportation; establishing a highway maintenance cost containment council.

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

Haukoos, Schreiber, Dempsey, Minne and Brinkman introduced:

H. F. No. 2131, A bill for an act relating to taxation; property tax refund; redefining rent constituting property taxes; amending Minnesota Statutes 1981 Supplement, Section 290A.03, Subdivisions 11 and 13.

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

Ogren; Clark, K.; Samuelson; Lemen and Luknic introduced:

H. F. No. 2132, A bill for an act relating to highway traffic regulations; including a person in a wheelchair within the definition of pedestrian; amending Minnesota Statutes 1980, Sections 169.01, Subdivision 24; and 169.21, Subdivision 5.

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

Peterson, D.; Clark, K., and Staten introduced:

H. F. No. 2133, A bill for an act relating to taxation; requiring registration of certain rental housing; limiting certain income tax deductions; amending Minnesota Statutes 1981 Supplement, Section 290.01, Subdivision 20, as amended; proposing new law coded in Minnesota Statutes, Chapter 290.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Dahlvang and Metzen introduced:

H. F. No. 2134, A bill for an act relating to the city of Minneapolis; establishing uniformity in liquor licensing provisions applicable to nonprofit corporations within the city; amending Laws 1975, Chapter 305, Section 1.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. Nos. 1088 and 1539.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1088, A bill for an act relating to real property; providing for the registration of certain possessory estates in real property without court proceedings; providing for a changeover from a certificate of possessory title to a certificate of title after

a certain number of years; proposing new law coded as Minnesota Statutes, Chapter 508A.

The bill was read for the first time.

Ellingson moved that S. F. No. 1088 and H. F. No. 919, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1539, 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; and Minnesota Statutes 1981 Supplement, Section 179.74, Subdivision 4.

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

CONSENT CALENDAR

S. F. No. 1408, 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.

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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Voss
Weaver

Welch
Welker

Wenzel
Wieser

Wigley
Wynia

Zubay
Spkr.Sieben,H.

The bill was passed and its title agreed to.

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 third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1710, A bill for an act relating to commerce; petroleum products; providing specifications for fuel oil sold as kerosene; amending Minnesota Statutes 1980, Section 296.05, Subdivision 2, and by adding a subdivision.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1732 was reported to the House.

Skoglund moved to amend H. F. No. 1732, as follows:

Delete everything after the enacting clause and insert:

"Section 1. [341.115] [PROFESSIONAL BOXING.]

Any contest, match or exhibition in which prizes or compensation worth \$5 or more is offered to any boxer shall comply with all rules of the board of boxing governing professional boxing. No boxer participating in these contests, matches, or exhibitions shall engage in consecutive contests with less than a seven day interval. No boxer shall participate in these contests, matches, or exhibitions unless the boxer has submitted an affidavit of physical fitness to the board and has been examined by a physician designated by the board. The affidavit shall state: (a) that the boxer has previously participated in ten amateur or professional matches sanctioned by the board of boxing or sanctioned by a board which regulates boxing in another jurisdiction; or (b) that the boxer has trained for at least 90 days under the supervision of a trainer licensed by the board of boxing. The examination shall include, but not be limited to, an electroencephalogram. The examination shall be performed at the expense of the promoter.

Sec. 2. [EFFECTIVE DATE.]

This act is effective the day after final enactment and applies to all contests, matches, or exhibitions held on or after that date."

Delete the title and insert:

"A bill for an act relating to boxing; establishing certain conditions for participation in professional matches; proposing new law coded in Minnesota Statutes, Chapter 341."

The motion prevailed and the amendment was adopted.

H. F. No. 1732, A bill for an act relating to boxing; establishing certain conditions for participation in professional matches; proposing new law coded in Minnesota Statutes, Chapter 341.

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

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Dempsey	Jennings	Ludeman	Marsh	Welker
Hauge				

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

H. F. No. 1603 was reported to the House.

Den Ouden moved to amend H. F. No. 1603, the first engrossment, as follows:

Page 1, line 14, after "*VISTA*," delete "*and*" insert "*or*"

The motion prevailed and the amendment was adopted.

H. F. No. 1603, A bill for an act relating to education; requiring the board of teaching and the state board of education to accept completion of certain training programs in lieu of the human relations components required for licensure; amending Minnesota Statutes 1980, Section 125.05, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Kvam

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

H. F. No. 1699, A bill for an act relating to education; requiring all public elementary and secondary schools to provide in-

structional programs in chemical abuse; amending Minnesota Statutes 1980, Section 126.03; and proposing new law coded in Chapter 126.

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 110 yeas and 15 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ainley	Esau	Kvam	Nelsen, B.	Sviggum
Dempsey	Heinitz	Ludeman	Niehaus	Welker
Den Ouden	Hokr	Mehrkens	Searles	Wigley

The bill was passed and its title agreed to.

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

REPORTS OF STANDING COMMITTEES

Jude from the Committee on Judiciary to which was referred:

H. F. No. 1723, A bill for an act relating to crimes; prohibiting driving a motor vehicle when impaired by alcohol; providing prima facie evidentiary standards for determining if persons were driving while impaired or under the influence of alcohol; requiring blood, breath or urine tests of surviving drivers involved in accidents; authorizing written blood sample reports; amending Minnesota Statutes 1980, Sections 169.121, Subdivi-

sions 1, 2, 3, and 4; 169.123, Subdivisions 2, 3, 4, 6, and by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 169.121, Subdivision 1, is amended to read:

Subdivision 1. [VIOLATION.] It is (A MISDEMEANOR) *unlawful* for any person to drive, operate or be in physical control of any motor vehicle within this state:

- (a) When the person is under the influence of alcohol;
- (b) When the person is under the influence of a controlled substance;
- (c) When the person is under the influence of a combination of any two or more of the elements named in clauses (a) and (b); (OR)
- (d) When the person's alcohol concentration is 0.10 or more; or
- (e) *When the person is impaired by the influence of alcohol or has an alcohol concentration of between 0.07 and 0.10.*

The provisions of this subdivision apply, but are not limited in application, to any person who drives, operates, or is in physical control of any motor vehicle in the manner prohibited by this subdivision upon the ice of any lake, stream, or river, including but not limited to the ice of any boundary water.

Sec. 2. Minnesota Statutes 1980, Section 169.121, Subdivision 2, is amended to read:

Subd. 2. [EVIDENCE.] Upon the trial of any prosecution arising out of acts alleged to have been committed by any person arrested for driving, operating, or being in physical control of a motor vehicle in violation of subdivision 1, the court may admit evidence of the amount of alcohol or a controlled substance in the person's blood, breath, or urine as shown by a medical or chemical analysis thereof, if the test is taken voluntarily or pursuant to section 169.123.

For the purposes of this subdivision:

- (a) evidence that there was at the time an alcohol concentration of 0.05 or less is *prima facie* evidence that the person was

not impaired by the influence of alcohol and not under the influence of alcohol;

(b) evidence that there was at the time an alcohol concentration of more than 0.05 (AND LESS THAN 0.10 IS RELEVANT EVIDENCE IN INDICATING WHETHER OR NOT THE PERSON WAS UNDER THE INFLUENCE OF ALCOHOL) but not more than 0.07 is prima facie evidence that the person was not under the influence of alcohol, but the evidence is relevant evidence but shall not be given prima facie effect, in determining whether the ability of the person to operate a motor vehicle was impaired by the consumption of alcohol;

(c) evidence that there was at the time an alcohol concentration of more than 0.07 but less than 0.10 is prima facie evidence that the person was not under the influence of alcohol, but the evidence shall be given prima facie effect in determining whether the ability of the person to operate a motor vehicle was impaired by the consumption of alcohol.

The foregoing provisions do not limit the introduction of any other competent evidence bearing upon the question whether or not the person was under the influence of alcohol or a controlled substance.

Sec. 3. Minnesota Statutes 1980, Section 169.121, Subdivision 3, is amended to read:

Subd. 3. [FIRST VIOLATION.] (a) Every person convicted of a violation of (THIS SECTION) subdivision 1, clauses (a) to (d) or an ordinance in conformity therewith is punishable by imprisonment of not more than 90 days, or by a fine of not more than \$500, or both, and his driver's license shall be revoked for not less than 30 days, except that every person who is convicted of a violation of this section or an ordinance in conformity therewith, when the violation is found to be the proximate cause of great bodily harm as defined in section 609.02, subdivision 8, or death to another person, shall be punished by imprisonment for not more than 90 days, or by fine of not more than \$500, or both, and his driver's license shall be revoked for not less than 90 days.

Any person who is convicted of a second violation of subdivision 1, clauses (a) to (d) or an ordinance in conformity therewith within three years shall not receive a limited license during the first 45 days of the revocation period.

Any person who is convicted of a third violation within a three-year period shall not receive a limited license during the term of the revocation.

(b) Any person convicted of a first violation of subdivision 1, clause (e) or an ordinance in conformity therewith is punish-

able by a fine of not more than \$250. A person charged with such a first violation is not entitled to a jury trial but shall be tried by a judge without a jury.

(c) Any person whose license has been revoked pursuant to section 169.123 is not subject to the mandatory revocation provision of this subdivision.

Sec. 4. Minnesota Statutes 1980, Section 169.121, Subdivision 4, is amended to read:

Subd. 4. [SECOND VIOLATION.] (a) Every person who is convicted of a violation of (THIS SECTION) *subdivision 1, clauses (a) to (d)* or an ordinance in conformity therewith within three years of any previous such conviction shall be punished by imprisonment for not more than 90 days, or a fine of not more than \$500, or both, and his driver's license shall be revoked for not less than 90 days.

(b) *Any person convicted of a second or subsequent violation of subdivision 1, clause (e) or an ordinance in conformity therewith within three years of a previous conviction is punishable by imprisonment for not more than 90 days, or by a fine of not more than \$500.*

Sec. 5. Minnesota Statutes 1980, Section 169.123, is amended by adding a subdivision to read:

Subd. 2b. [DEATH OR INJURY; TESTS.] Notwithstanding a refusal to submit to testing under subdivision 2, a blood, breath, or urine test shall be required of all surviving drivers involved in accidents resulting in death and may be required by the officer of all surviving drivers involved in accidents resulting in injury.

Sec. 6. Minnesota Statutes 1980, Section 169.123, Subdivision 3, is amended to read:

Subd. 3. [MANNER OF MAKING TEST; ADDITIONAL TESTS.] Only a physician, medical technician, physician's trained mobile intensive care paramedic, registered nurse, medical technologist (OR), laboratory assistant, or other person *trained in blood withdrawal techniques*, acting at the request of a peace officer may withdraw blood for the purpose of determining the presence of alcohol or controlled substance. This limitation does not apply to the taking of a breath or urine specimen. The person tested has the right to have a person of his own choosing administer a chemical test or tests in addition to any administered at the direction of a peace officer; provided, that the additional test specimen on behalf of the person is obtained at the place where the person is in custody, after the test administered at the direction of a peace officer, and at no expense to the state.

The failure or inability to obtain an additional test or tests by a person shall not preclude the admission in evidence of the test taken at the direction of a peace officer unless the additional test was prevented or denied by the peace officer. Upon the request of the person who is tested, (FULL INFORMATION CONCERNING) *the results of the test or tests taken at the direction of the peace officer shall be made available to him. The (PHYSICIAN, MEDICAL TECHNICIAN, PHYSICIAN'S TRAINED MOBILE INTENSIVE CARE PARAMEDIC, MEDICAL TECHNOLOGIST, LABORATORY ASSISTANT OR REGISTERED NURSE) qualified person drawing blood at the request of a peace officer (FOR THE PURPOSE OF DETERMINING ALCOHOL CONCENTRATION) pursuant to this section, and institutions whose facilities are used, shall in no manner be liable in any civil or criminal action except for negligence in drawing the blood. The person administering a test at the request and direction of a peace officer shall (BE FULLY TRAINED IN THE ADMINISTRATION OF THE TESTS) administer the test pursuant to standards promulgated by rule by the commissioner of public safety.*

A report of the facts of a test administration signed by the person drawing a blood sample, or administering a breath or urine test, shall be admissible as evidence at the trial of any prosecution under section 169.121 or any hearing under this section without proof of the seal, signature, or official character of the person whose name is signed to it, in any proceeding. The person tested or his attorney may request, by notifying the prosecuting attorney in writing at least ten days before the trial, that the person who administered the test be present to testify in person at the trial.

Sec. 7. Minnesota Statutes 1980, Section 169.123, Subdivision 6, is amended to read:

Subd. 6. [HEARING.] A hearing under this section shall be before a municipal or county judge, in the county where the alleged offense occurred, unless there is agreement that the hearing may be held in some other county. The hearing shall be to the court and may be conducted at the same time and in the same manner as hearings upon pre-trial motions in the criminal prosecution under section 169.121, if any. The hearing shall be recorded. The commissioner of public safety may appear through his own attorney or, by agreement with the jurisdiction involved, through the prosecuting authority for that jurisdiction.

The scope of the hearing shall cover the issues of: (1) whether the peace officer had reasonable and probable grounds to believe the person was driving, operating, or in physical control of a motor vehicle while *impaired by the influence of alcohol or under the influence of alcohol or a controlled substance*, and whether the person was lawfully placed under arrest for violation of section 169.121, or the person was involved in a motor vehicle ac-

cident or collision resulting in property damage, personal injury or death, or the person refused to take a screening test provided for by section 169.121, subdivision 6, or the screening test was administered and recorded an alcohol concentration of 0.10 or more; and (2) whether at the time of the request for the test the peace officer informed the person of his rights and the consequences of taking or refusing the test as required by subdivision 2; and (3) either (a) whether the person refused to permit the test, or (b) whether a test was taken and the test results indicated an alcohol concentration of 0.10 or more, and whether the testing method used was valid and reliable, and whether the test results were accurately evaluated.

It shall be an affirmative defense for the person to prove that his refusal to permit the test was based upon reasonable grounds.

The court shall order either that the revocation be rescinded or sustained and forward the order to the commissioner of public safety. If the revocation is sustained, the court shall also forward the person's driver's license to the commissioner of public safety for his further action if the license is not already in the commissioner's possession.

Sec. 8. Minnesota Statutes 1980, Section 169.123, Subdivision 9, is amended to read:

Subd. 9. [LIMITED LICENSE.] In any case in which a license has been revoked under this section, the commissioner may issue a limited license to the driver. The commissioner in issuing a limited license may impose the conditions and limitations which in his judgment are necessary to the interests of the public safety and welfare, including re-examination of the driver's qualifications, attendance at a driver improvement clinic, or attendance at counseling sessions. The license may be limited to the operation of particular vehicles and to particular classes and time of operation. The limited license issued by the commissioner shall clearly indicate the limitations imposed and the driver operating under a limited license shall have the license in his possession at all times when operating as a driver. In determining whether to issue a limited license, the commissioner shall consider the number and the seriousness of prior convictions and the entire driving record of the driver.

When the revocation under this section is the second such revocation within a three-year period, no limited license shall be issued until one-half of the revocation period has expired. When the revocation is the third such revocation within a three-year period, no limited license shall be issued during the term of the revocation.

Sec. 9. Minnesota Statutes 1980, Section 169.123, is amended by adding a subdivision to read:

Subd. 5c. [IMMUNITY FROM LIABILITY.] (a) Any peace officer acting in good faith and exercising due care in making an arrest for violation of section 169.121 and the state of political subdivision for which the peace officer is employed shall have immunity from any liability, civil or criminal, for the care or custody of the motor vehicle being driven by, operated by, or in the physical control of the person arrested.

(b) For purposes of this subdivision, "political subdivision" means a county, statutory or home rule charter city or town.

Sec. 10. [EFFECTIVE DATE.]

Sections 1 to 9 are effective August 1, 1982, and apply to crimes committed on or after that date."

Amend the title as follows:

Page 1, line 10, delete "2," and after "3," delete "4,"

Page 1, line 10, after "6," insert "9"

Page 1, line 11, delete "a subdivision" and insert "subdivisions"

With the recommendation that when so amended the bill pass.

The report was adopted.

Jude moved that H. F. No. 1723 be re-referred to the Committee on Criminal Justice. The motion prevailed.

CALENDAR

Eken moved that the bills on the Calendar be continued one day. The motion prevailed.

GENERAL ORDERS

Eken moved that the bills on General Orders be continued one day. The motion prevailed.

MOTIONS AND RESOLUTIONS

Pogemiller moved that the names of Clark, J., and Kelly be added as authors on H. F. No. 1882. The motion prevailed.

Brandl moved that the name of Dempsey be added as an author on H. F. No. 1904. The motion prevailed.

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

Piepho moved that his name be stricken as an author on H. F. No. 1105. The motion prevailed.

Dahlvang moved that his name be stricken as an author on H. F. No. 1105. The motion prevailed.

Vellenga moved that the name of Gustafson be added as an author on H. F. No. 1894. The motion prevailed.

Clark, K., moved that the name of Vellenga be added as an author on H. F. No. 1875. The motion prevailed.

Staten moved that the name of Clark, K., be added as an author on H. F. No. 1811. The motion prevailed.

Shea moved that the name of Skoglund be stricken and the name of Pogemiller be added as an author on H. F. No. 1881. The motion prevailed.

Clawson moved that the name of Welch be stricken and the name of Wynia be added as chief author on H. F. No. 1465. The motion prevailed.

Rothenberg moved that the name of Olsen be added as an author on H. F. No. 2014. The motion prevailed.

Peterson, B., moved that the name of Blatz be added as second author on H. F. No. 2030. The motion prevailed.

Rothenberg moved that the name of Olsen be added as an author on H. F. No. 2013. The motion prevailed.

Kaley moved that the name of Luknic be added as an author on H. F. No. 1977. The motion prevailed.

Blatz moved that the names of Nelson, K.; Ludeman; Kahn and Byrne be added as authors on H. F. No. 1192. The motion prevailed.

Rodriguez, F., moved that the names of Dahlvang, O'Connor, Pogemiller and Rose be added as authors on H. F. No. 2052. The motion prevailed.

McEachern moved that the name of Jude be added as an author on H. F. No. 2045. The motion prevailed.

Blatz moved that the names of Schreiber and Jacobs be added as authors on H. F. No. 2066. The motion prevailed.

Mehrkens moved that the names of Jacobs; Novak; Peterson, D., and Blatz be added as authors on H. F. No. 1788. The motion prevailed.

Novak moved that the names of Pogemiller and Metzen be added as authors on H. F. No. 1822. The motion prevailed.

McEachern moved that the name of Shea be added as an author on H. F. No. 1974. The motion prevailed.

Swanson moved that the name of Wynia be added as an author on H. F. No. 2077. The motion prevailed.

Sarna moved that the name of McEachern be added as an author on H. F. No. 2108. The motion prevailed.

Voss moved that the name of McEachern be added as an author on H. F. No. 2073. The motion prevailed.

Elioff moved that the name of Hoberg be added as an author on H. F. No. 1726. The motion prevailed.

Dahlvang moved that the names of Long, Ewald and Peterson, D., be added as authors on H. F. No. 2134. The motion prevailed.

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

Reif moved that H. F. No. 1509 be recalled from the Committee on Agriculture and be re-referred to the Committee on Health and Welfare. The motion prevailed.

Dempsey moved that H. F. No. 1860 be recalled from the Committee on Agriculture and be re-referred to the Committee on Judiciary. The motion prevailed.

Aasness moved that H. F. No. 2028 be recalled from the Committee on Appropriations and be re-referred to the Committee on Agriculture. The motion prevailed.

Wenzel moved that the names of Ogren, Staten and Luknic be added as authors on H. F. No. 2084. The motion prevailed.

Anderson, G., moved that H. F. No. 1815 now on the Technical General Orders be re-referred to the Committee on Appropriations. The motion prevailed.

Wenzel, Shea, Jude, Laidig and Sherwood introduced:

House Resolution No. 22, A house resolution proclaiming March 21, 1982, as Afghanistan Day in Minnesota.

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

Levi, Laidig and Sieben, M., introduced:

House Resolution No. 23, A house resolution extending condolences to the families and friends of the volunteer firefighters who died in a fire in Stillwater and appreciation to all firefighters.

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

Fjoslien and Peterson, B., introduced:

House Resolution No. 24, A house resolution commemorating Abraham Lincoln upon the one hundred and seventy-third anniversary of his birth.

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

Kahn; Long; Peterson, D.; Minne and Byrne introduced:

House Resolution No. 25, A house resolution commemorating the life and work of Susan B. Anthony.

SUSPENSION OF RULES

Kahn moved that the Rules be so far suspended that House Resolution No. 25 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 25

A house resolution commemorating the life and work of Susan B. Anthony.

Whereas, February 15, 1982 is the 162nd anniversary of the birth of Susan B. Anthony, born in 1820 and died in 1906, pioneer of woman's right to vote; and,

Whereas, Susan B. Anthony's contributions to the history of this nation cannot be underestimated but have often been overlooked; and,

Whereas, Susan B. Anthony was a self-supporting school teacher beginning at age 15, earning \$2 per week and her board, at a time when female teachers were paid 30 percent of the wages paid to male teachers; and,

Whereas, Susan B. Anthony obtained 4,000 signatures on a petition in favor of women's suffrage in the State of New York

in 1852, at a time when the law required employers to pay a woman's wages to her husband and when women had no right of legal guardianship of their own children; and,

Whereas, Susan B. Anthony lectured across the country in defense of women's suffrage over a period of 53 years, though she was often ridiculed, though she noted that, "It is a terrible martyrdom for me to speak publicly," and though she was often required to travel by uncovered wagon in the winter in order to do so; and,

Whereas, Susan B. Anthony organized the National Woman Suffrage Association in 1869 and its successor, the National American Woman Suffrage Association in 1890, as well as serving as President of the latter at age 72; and,

Whereas, Susan B. Anthony voted in Rochester, New York in 1872, 48 years before women achieved the right to vote, and for this offense was arrested and tried, but not allowed to speak in her own defense; and,

Whereas, Susan B. Anthony also worked for the abolition of slavery before and during her efforts on behalf of women's suffrage, and defended the right of workers to bargain collectively; and,

Whereas, Susan B. Anthony is owed a debt of honor on the part of all citizens for her example in the tireless pursuit of justice, stating at age 85, one year before her death and 14 years before passage of the Nineteenth Amendment to the United States Constitution, that, "I have never lost my faith, not for a moment; failure is impossible"; *Now, Therefore*,

Be It Resolved by the House of Representatives of the State of Minnesota that it commemorates the life and work of Susan B. Anthony and urges all Minnesotans to hold ceremonies and celebrations to commemorate her birthday.

Kahn moved that House Resolution No. 25 be now adopted. The motion prevailed and House Resolution No. 25 was adopted.

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Anderson, I., and Jacobs introduced:

H. F. No. 2135, A resolution memorializing the President and Congress of the United States to adopt a balanced federal budget.

The bill was read for the first time and 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., Thursday, February 18, 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., Thursday, February 18, 1982.

EDWARD A. BURDICK, Chief Clerk, House of Representatives