

## STATE OF MINNESOTA

## SEVENTY-SECOND SESSION - 1982

## EIGHTY-FOURTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 8, 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 Pastor Marvin E. Sandness, Christ Lutheran Church, St. Paul, Minnesota.

The roll was called and the following members were present:

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	Osthoff	Stadum
Begich	Gruenes	Lehto	Otis	Staten
Berkelman	Gustafson	Lemen	Peterson, B.	Stowell
Blatz	Halberg	Long	Peterson, D.	Stumpf
Brandl	Hanson	Ludeman	Piepho	Sviggum
Brinkman	Harens	Luknic	Pogemiller	Swanson
Byrne	Hauge	Mann	Redalen	Tomlinson
Carlson, D.	Haukoos	Marsh	Reding	Valan
Carlson, L.	Heap	McCarron	Rees	Valento
Clark, J.	Heinitz	McDonald	Reif	Vanasek
Clark, K.	Himle	McEachern	Rice	Vellenga
Clawson	Hoberg	Mehrkins	Rodriguez, C.	Voss
Dahlvang	Hokanson	Metzen	Rodriguez, F.	Weaver
Dean	Hokr	Minne	Rose	Welch
Dempsey	Jacobs	Munger	Rothenberg	Welker
Den Ouden	Jennings	Murphy	Samuelson	Wenzel
Drew	Johnson, C.	Nelsen, B.	Sarna	Wieser
Eken	Johnson, D.	Nelson, K.	Schoenfeld	Wigley
Elioff	Jude	Niehaus	Schreiber	Wynia
Ellingson	Kahn	Norton	Searles	Zubay
Erickson	Kaley	Novak	Shea	Spkr. Sieben, H.

A quorum was present.

Anderson, R., and Levi were excused.

Esau was excused until 2:30 p.m. Schafer was excused until 6:00 p.m.

The Chief Clerk proceeded to read the Journals of the preceding days. McDonald moved that further reading of the Journals

be dispensed with and that the Journals 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. 2169, 1440, 1838, 1935, 2125, 2132, 1816, 1961, 2245, 612, 1278, 541, 1844, 1553, 1834, 1867, 1870, 1896, 2021, 2147, 2148, 2238 and 1919 and S. F. Nos. 358, 85, 1364, 536, 639, 155 and 1503 have been placed in the members' files.

S. F. No. 1589 and H. F. No. 1875, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Clark, K., moved that the rules be so far suspended that S. F. No. 1589 be substituted for H. F. No. 1875 and that the House File be indefinitely postponed. The motion prevailed.

#### REPORTS OF STANDING COMMITTEES

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

H. F. No. 400, A bill for an act relating to economic development; appropriating money to permit the small business finance agency to participate in business loans; amending Minnesota Statutes 1980, Section 362.53, Subdivision 12.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [362.43] [CERTIFIED STATE DEVELOPMENT COMPANY.]

*Subdivision 1. [PURPOSE; OBJECTIVES.] The department of energy, planning and development is authorized to create, promote and assist a state development company, also known as a “503” certified development company, which will qualify as a certified development company for the purposes of 15 United States Code, section 697 and Code of Federal Regulations, title 13, section 108.503.*

*It is the objective of the department to utilize the development company program to stimulate the state's economic activity.*

*The development company and its directors and officers shall comply with the organizational, operational, regulatory and re-*

porting requirements as promulgated by the United States small business administration and the guidelines contained in the by-laws, articles of incorporation, and standard operating procedure prescribed by the small business administration.

**Subd. 2. [CAPITAL, LOAN LIMITS.]** *The capital for a certified state development company shall be derived from corporate holders or members, each of whom may not have more than ten percent of the voting control of the certified state development company. The company shall have a minimum of ten members. The loan limit of each member shall be established at the time of its acceptance as a member and shall be computed on the basis of the financial information contained in or made a part of its application for membership. All loan limits shall be established at the thousand dollar amount nearest the amount computed in accordance with the provisions of the articles of incorporation and this section.*

**Subd. 3. [MEMBERS.]** *Members shall be financial institutions and business corporations doing business in Minnesota and which, upon application, have been accepted for membership by a majority vote of the members of the board of directors present at any regular or special meeting of the board at which there is a quorum. A "financial institution" is any business organization recognized under Minnesota or federal law as a banking institution, trust company, savings and loan association, insurance company, or any corporation, partnership, foundation or other institution licensed to do business in the state of Minnesota and engaged primarily in lending or investing funds.*

**Subd. 4. [MEMBERSHIP APPLICATIONS.]** *All applications for membership shall be submitted to the board of directors on forms provided by the corporation and accompanied by additional information as the form may require. All application forms shall provide that in the event the application is approved, and the applicant accepted for membership by the board of directors prior to withdrawal of the application, the applicant agrees to become a member upon the acceptance and to assume all of the rights and obligations of a member as set forth in the corporation's bylaws, the articles of incorporation, and Minnesota Statutes, Chapters 301 and 362. Notice of approval or rejection of an application shall be forwarded, by certified or registered United States mail, to the applicant for the attention of the person signing the application, within 15 days following the date upon which the approval or rejection is made. Approval of the application shall constitute acceptance of the applicant as a member of the corporation.*

**Subd. 5. [OFFICERS.]** *The executive officers of the corporation shall be a president, one or more vice presidents including the executive vice president, a secretary, and a treasurer. None of the officers, except the president, need be directors. One person may hold the offices and perform the duties of any two*

*or more of the offices. The board of directors by majority vote may leave unfilled for any period it may fix any office except that of president, treasurer, or secretary.*

*Subd. 6. [DEPARTMENT ASSISTANCE.] The department of energy, planning and development shall make available its professional staff to provide services to the certified state development company including, but not limited to, accounting, legal and business assistance services. The staff shall have the capability to package, process, close and service loans made through the development company.*

*Subd. 7. [REPORTS.] The development company shall submit to the small business administration annual reports on its operation. When requested by the small business administration, interim reports of a similar nature will be provided. The reports are to be provided in accordance with the instructions and attachments set forth by the small business administration. The development company shall comply with all regulations issued under the small business investment act of 1958, as amended, as well as applicable state and federal laws affecting its operation.*

*Subd. 8. [REVOLVING FUND.] After the effective date of this act the certified state development company may charge a one time processing fee up to the maximum allowed by the small business administration on a debenture issued for loan purposes. In addition, a fee for servicing loans may be imposed up to the maximum allowed by the small business administration based on the unpaid balance of each debenture. There is established a program of business services revolving fund in the state treasury. Proceeds from fees collected on loans processed with assistance from department staff shall be deposited in the program of business services revolving fund. Moneys in the fund are annually appropriated to the commissioner of energy, planning and development for the purposes of this section.*

**Sec. 2.** Minnesota Statutes 1980, Section 362.51, Subdivision 1, is amended to read:

**Subdivision 1.** A small business finance agency is hereby created and is constituted as an authority to act on behalf of the state within the scope of the powers granted to it in sections 362.132 and 362.50 to 362.53 to implement a loan program by which, in cooperation with cities, towns, counties and private or public lenders, adequate funds may be provided on sufficiently favorable terms to assist and encourage the establishment, maintenance and growth of small business in Minnesota and to reduce to a manageable level the cost of the control of pollution and disposal of waste resulting from the operations of small business.

Because of its ability to pool or combine loans to be funded from one or more issues of bonds, *whether or not the interest*

*on the bonds is exempt from federal income taxes, the agency will be able to spread its financing costs among the small businesses to which the agency makes loans, thereby reducing costs incurred by each small business.*

Sec. 3. Minnesota Statutes 1981 Supplement, Section 362.52, Subdivision 2, is amended to read:

Subd. 2. The agency may participate with financial institutions in making or purchasing business loans not exceeding \$1,000,000 in principal amount, to be serviced by such institutions, provided that:

(a) The agency's share shall not exceed 90 percent of the total principal amount, and shall be payable with interest at the same times but not necessarily at the same interest rate as the share of the financial institution, and both shares shall be equally and ratably secured by a valid mortgage on or security interest in real or personal property or by any other security satisfactory to the agency to secure payment of the loan *provided, that the agency's share may equal 100 percent of the total principal amount of the business loan if the financial institution participating in the making or purchasing of the business loan by servicing the loan, purchases 100 percent of the total amount of the bonds issued by the agency in connection with the loan;*

(b) The total principal amount shall not exceed 90 percent of the value of the property securing the loan, unless the amount in excess of 90 percent is:

(1) Loaned from available funds which are not proceeds received directly from the sale of the agency's bonds or notes and are not restricted under the terms of any resolution or indenture securing bonds or notes, or

(2) Insured or guaranteed by a federal agency or by a private insurer qualified to write such insurance in the state, insuring a percentage of any claim for loss at least equal to that percentage of the value by which the loan exceeds 90 percent thereof;

(c) The value of the property securing the loan shall be certified by the participating financial institution, on the basis of such appraisals, bids, purchase orders, and engineers' certificates as the agency may require; provided that the value of items purchased and constructed from the proceeds of the loan shall not be deemed to exceed the contract price of purchase or construction;

(d) The agency shall not disburse funds under a commitment to participate in a loan for the construction or substantial improvement of property until the construction or improvement

has been completed, unless a financial institution furnishes an irrevocable letter of credit or a qualified corporate surety furnishes payment and performance bonds, satisfactory to the agency and in an aggregate amount equal to the amount payable under the construction contract; and

(e) No other indebtedness may be secured by a mortgage on or security interest in property securing a business loan made or purchased pursuant to this subdivision without the prior express written authorization of the agency.

Sec. 4. Minnesota Statutes 1980, Section 362.53, Subdivision 13, is amended to read:

Subd. 13. It may sell any of its obligations at public or private sale, at such price or prices as the agency shall determine, notwithstanding the limitation on sale price in the fourth sentence of section 462A.09, *and notwithstanding whether or not the interest on any of its obligations is subject to federal income taxes.*"

Delete the title and insert:

"A bill for an act relating to economic development; authorizing the formation of a state development company for small business aid purposes; making certain changes in the small business finance agency act to provide for small business loans; appropriating money; amending Minnesota Statutes 1980, Sections 362.51, Subdivision 1; 362.53, Subdivision 13; and Minnesota Statutes 1981 Supplement, Section 362.52, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 362."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1025, A bill for an act relating to safety; imposing an additional 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.

Reported the same back with the following amendments:

Page 1, line 20, delete "*the motorcycle safety fund which is hereby created*" and insert "*a special motorcycle safety account in the trunk highway fund for the purposes defined in section 2*"

Page 1, line 24, delete "*dedicated to*" and insert "*to be deposited in*"

Page 1, line 24, delete "*fund*" and insert "*account*"

Page 2, line 12, after the period insert "*Notwithstanding any law to the contrary, motorcycle safety instructors are not required to have a teaching license.*"

Page 2, delete lines 22 to 24

Page 2, line 25, delete "*the purposes of subdivisions 2 and 3.*" and insert:

"Subd. 4. [USE OF FUNDS.]"

Page 2, line 26, delete "*fund*" and insert "*funds appropriated to him*"

Page 2, after line 35, insert a new section as follows:

"Sec. 3. [APPROPRIATION.] *There is appropriated from the motorcycle safety account to the commissioner of public safety the sum of \$320,000 for fiscal year 1983.*"

Amend the title as follows:

Page 1, line 6, delete "*a fund*" and insert "*an account*"

Page 1, line 7, delete "*making a standard appropriation*" and insert "*appropriating money*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1099, A bill for an act relating to agriculture; providing an additional tax on certain capital gains from the sale of agricultural land; amending Minnesota Statutes 1981 Supplement, Sections 290.01, Subdivision 20, as amended; and 290.091, as amended; proposing new law coded in Minnesota Statutes, Chapter 290.

Reported the same back with the following amendments:

Page 1, after line 9, insert a new section to read:

"Section 1. Minnesota Statutes 1981 Supplement, Section 124.213, Subdivision 1, is amended to read:

Subdivision 1. [TAX REDUCTIONS.] The county auditor shall reduce the tax for school purposes on all property receiving the homestead credit pursuant to section 273.13, subdivision 6, by an amount equal to the tax levy that would be produced by applying a rate of 18 mills on up to 320 acres of the property. The county auditor shall reduce the tax for school purposes on the next 320 acres classified pursuant to section 273.13, subdivision 6 by an amount equal to the tax levy that would be produced by applying a rate of ten mills on the property. The tax on all other agricultural lands classified pursuant to section 273.13, subdivision 6 shall be reduced by an amount equal to the tax levy that would be produced by applying a rate of eight mills on the property. The tax on the first 320 acres of agricultural land classified pursuant to section 273.13, subdivision 4 and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, shall be reduced by an amount that would be produced by applying a rate of ten mills on the property. The tax on timber land classified pursuant to section 273.13, subdivision 8a and agricultural land in excess of 320 acres classified pursuant to section 273.13, subdivision 4 shall be reduced by an amount equal to the tax levy that would be produced by applying a rate of eight mills on the property.

*The tax reductions provided in this subdivision shall apply only to property owned by a Minnesota resident.*

The amounts so computed by the county auditor shall be submitted to the commissioner of revenue as part of the abstracts of tax lists required to be filed with the commissioner under the provisions of section 275.29. Any prior year adjustments shall also be certified in the abstracts of tax lists. The commissioner of revenue shall review such certifications to determine their accuracy. He may make such changes in the certification as he may deem necessary or return a certification to the county auditor for corrections."

Renumber the sections

Page 2, delete lines 10 to 13

Page 2, after line 16, insert:

*"In determining the period for which the taxpayer has held the property, the provisions of section 1223 of the Internal*



*Revenue Code of 1954, as amended through December 31, 1981, shall apply, except that in the case of a person acquiring property from a decedent or to whom property passed from a decedent there shall be included the period for which the property was held by the decedent."*

Page 2, line 17, before "Agricultural" insert a paragraph

Page 2, line 18, after the second comma delete the balance of the line

Page 2, line 19 delete "*pursuant to the provisions of section 273.13, subdivisions 6*"

Page 2, line 20, after the first comma insert "*without regard to the 240 acre limitation*"

Page 15, line 22, delete "*This act is*" and insert "*Sections 2 to 4 are*"

Page 15, line 24, delete "*This act*" and insert "*Sections 2 to 4*"

Page 15, line 26, after the period, insert "*Section 1 is effective for taxes levied in 1982 and thereafter, payable in 1983 and thereafter.*"

Amend the title as follows:

Page 1, line 4, after the semicolon insert "*limiting certain tax reductions;*"

Page 1, line 5, after "Sections" insert "*124.213, Subdivision 1;*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1115, A bill for an act relating to transportation; providing for the distribution of assistance under the public transit participation program; defining terms; changing eligibility requirements for replacement transit service; providing for public transit contract procedures; amending Minnesota Statutes 1980, Sections 174.21; 174.22, by adding subdivisions; 174.23, by adding a subdivision; 174.24, Subdivision 1, and by adding a subdivision; Minnesota Statutes 1981 Supplement, Sec-

tions 174.24, Subdivision 3; and 174.265, Subdivision 4; repealing Minnesota Statutes 1980, Sections 174.25; and 174.26.

Reported the same back with the following amendments:

Page 3, line 4, after "cost" insert "*may include provisions for a fee for service*"

Page 3, line 7, after "cost" insert "*and fee*"

Page 5, after line 19, insert a new section to read:

"Sec. 6. Minnesota Statutes 1981 Supplement, Section 174.24, Subdivision 3a, as amended by Laws 1981, Third Special Session Chapter 2, Article 1, Section 17, is amended to read:

Subd. 3a. [TRANSIT COMMISSION.] The commissioner shall provide financial assistance by contract to the metropolitan transit commission from appropriations provided for that purpose. In order to receive financial assistance, the commission shall provide to the commissioner all financial records and other information and shall permit any inspection reasonably necessary to identify the revenues, costs, and service plan upon which the appropriation is based. *The metropolitan transit commission shall not operate a shuttle bus service for any twelve month fiscal period for the purpose of providing transit service for athletic events unless total operating costs are recovered from non-state fund sources.*"

Renumber the sections

Amend the title as follows:

Page 1, line 11, after "3" insert "*, and 3a, as amended*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1477, A bill for an act relating to snowmobiles; increasing the registration fee and appropriating the proceeds thereof for stated purposes; registration of collectors' snowmobiles; requiring a study; appropriating money; amending Minnesota Statutes 1980, Sections 84.82, Subdivision 3, and by adding a subdivision; and 84.83.

Reported the same back with the following amendments:

Page 3, line 5, after the period insert "*This appropriation is available until June 30, 1983.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1542, A bill for an act relating to metropolitan government; regulating the organization, duties and powers of the metropolitan mosquito control district and commission; authorizing taxes; amending Minnesota Statutes 1980, Sections 473.701, Subdivisions 1, 2 and 3; 473.702; 473.704, Subdivision 17; and 473.711, Subdivision 2; repealing Minnesota Statutes 1980, Sections 473.701, Subdivisions 5 and 6; 473.713; and 473.717.

Reported the same back with the following amendments:

Page 2, after line 15, insert:

"Sec. 5. Minnesota Statutes 1980, Section 473.703, Subdivision 1 is amended to read:

Subdivision 1. The district shall be operated by a commission which shall consist of two members from each county within the district, *except that each county within the district which has a seven member county board as provided in section 375.01, shall have one additional member on the commission.* Commissioners shall be members of the board of county commissioners of their respective counties, and shall be appointed by their respective boards of county commissioners."

Page 2, after line 35, insert:

"Sec. 7. Minnesota Statutes 1980, Section 473.705, is amended to read:

**473.705 [CONTRACTS FOR MATERIALS, SUPPLIES AND EQUIPMENT.]**

No contract for the purchase of materials, supplies, and equipment costing more than (\$2,500) \$5,000 shall be made by the commission without publishing the notice once in the official newspaper of each of the counties in the district that bids or proposals will be received. The notice shall be published at least ten days before bids are opened. Such notice shall state the nature of the work or purchase and the terms and conditions upon which the contract is to be awarded, naming therein a time and place where such bids will be received, opened, and read publicly. After such bids have been duly received, opened, read publicly, and recorded, the commission shall award such contract to the lowest responsible bidder or it may reject all bids. Each contract shall be duly executed in writing and the

party to whom the contract is awarded may be required to give sufficient bond to the commission for the faithful performance of the contract. If no satisfactory bid is received the commission may readvertise. The commission shall have the right to set qualifications and specifications and to require bids to meet such qualifications and specifications before bids are accepted. If the commission by an affirmative vote of five-sixths of the voting power of the commission shall declare that an emergency exists requiring the immediate purchase of materials or supplies at a cost in excess of (\$2,500) \$5,000 but not to exceed (\$5,000) \$10,000 in amount, or in making emergency repairs, it shall not be necessary to advertise for bids, but such material, equipment, and supplies may be purchased in the open market at the lowest price available without securing formal competitive bids. An emergency as used in this section shall be an unforeseen circumstance or condition which results in placing life or property in jeopardy. All contracts involving employment of labor shall stipulate terms thereof and such conditions as the commission deems reasonable as to hours and wages."

Page 2, line 35, after "objects" insert "*except for control of disease bearing mosquito encephalitis outbreaks*"

Renumber the sections

Amend the title as follows:

Page 1, line 4, after the semicolon insert "increasing size of commission membership; increasing certain commission expenditure amounts;"

Page 1, line 6, after "473.702;" insert "473.703, Subdivision 1;"

Page 1, line 7, after "17;" insert "473.705;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1691, A bill for an act relating to child support and maintenance payments; providing for the collection and withholding of payments; amending Minnesota Statutes 1981 Supplement, Sections 518.551, Subdivisions 1 and 2; and 518.611, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 26, delete "*shall also serve*" and insert "*serves*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1702, A bill for an act relating to veterans; providing for the furnishing of chiropractic care to residents of the Minnesota veterans home; proposing new law coded in Minnesota Statutes, Chapter 198.

Reported the same back with the following amendments:

Page 1, line 11, after "provided" insert ", as funds permit,"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1789, A bill for an act relating to the environment; limiting and reducing emissions of sulphur dioxide in the state; requiring adoption of an acid deposition control standard and plan by the pollution control agency; requiring reports; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 116.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [116.42] [LEGISLATIVE INTENT.]

*The legislature recognizes that acid deposition substantially resulting from the conduct of commercial and industrial operations, both within and without the state, poses a present and severe danger to the delicate balance of ecological systems within the state, and that the failure to act promptly and decisively to mitigate or eliminate this danger will soon result in untold and irreparable damage to the agricultural, water, forest, fish, and wildlife resources of the state. It is therefore the intent of the legislature in enacting sections 1 to 4 to mitigate or eliminate the acid deposition problem by curbing sources of acid deposition within the state and to support and encourage other states, the federal government, and the province of Ontario in recognizing the dangers of acid deposition and taking steps to mitigate or eliminate it within their own jurisdictions.*

**Sec. 2. [116.43] [ACID DEPOSITION DEFINED.]**

*As used in sections 1 to 4, "acid deposition" means the wet or dry deposition from the atmosphere of chemical compounds, usually in the form of rain or snow, having the potential to form an aqueous compound with a pH level lower than the level considered normal under natural conditions, or lower than 5.6.*

**Sec. 3. [116.44.] [SENSITIVE AREAS; STANDARDS.]**

*Subdivision 1. [LIST OF AREAS.] By January 1, 1983, the pollution control agency shall publish a preliminary list of counties determined to contain natural resources sensitive to the impacts of acid deposition. Sensitive areas shall be designated on the basis of:*

*(a) the presence of plants and animal species which are sensitive to acid deposition;*

*(b) geological information identifying those areas which have insoluble bedrock which is incapable of adequately neutralizing acid deposition; and*

*(c) existing acid deposition reports and data prepared by the pollution control agency and the federal environmental protection agency. The pollution control agency shall conduct public meetings on the preliminary list of acid deposition sensitive areas. Meetings shall be concluded by March 1, 1983, and a final list published by May 1, 1983. The list shall not be subject to the rulemaking or contested case provisions of chapter 15.*

*Subd. 2. [STANDARDS.] (a) By January 1, 1985, the agency shall adopt an acid deposition standard for wet plus dry acid deposition in the acid deposition sensitive areas listed pursuant to subdivision 1.*

*(b) By January 1, 1986, the agency shall adopt an acid deposition control plan to attain and maintain the acid deposition standard adopted under clause (a), addressing sources both inside and outside of the state which emit more than 100 tons of sulphur dioxide per year. The plan shall include an analysis of the estimated compliance costs for facilities emitting sulphur dioxide. Any emission reductions required inside of the state shall be based on the contribution of sources inside of the state to acid deposition in excess of the standard.*

*(c) By January 1, 1990, sources located inside the state shall be in compliance with the provisions of the acid deposition control plan.*

**Sec. 4. [116.45] [REPORTS TO THE LEGISLATURE.]**

*By January 1, 1986, the agency shall submit its acid deposition control plan to the appropriate substantive committees of both houses of the legislature. By January 1, 1987, and each two years thereafter until January 1, 1991, the agency shall submit to the legislative committees a report detailing the reduction of sulphur dioxide needed to meet the requirements of section 3 and the progress which has been made to meet those requirements.*

Sec. 5. Minnesota Statutes 1981 Supplement, Section 116C.69, Subdivision 3, is amended to read:

Subd. 3. [FUNDING; ASSESSMENT.] The board shall finance its base line studies, general environmental studies, development of criteria, inventory preparation, monitoring of conditions placed on site certificates and construction permits, and all other work, other than specific site and route designation, from an assessment made quarterly, at least 30 days before the start of each quarter, by the board against all utilities. *The assessment shall also include an amount sufficient to cover 60 percent of the costs to the pollution control agency of developing the acid deposition control plan required by sections 1 to 4; this amount shall be certified to the board by the executive director of the pollution control agency.* Each share shall be determined as follows: (1) the ratio that the annual retail kilowatt-hour sales in the state of each utility bears to the annual total retail kilowatt-hour sales in the state of all such utilities, multiplied by 0.667, plus (2) the ratio that the annual gross revenue from retail kilowatt-hour sales in the state of each utility bears to the annual total gross revenues from retail kilowatt-hour sales in the state of all such utilities, multiplied by 0.333, as determined by the board. The assessment shall be credited to the general fund and shall be paid to the state treasury within 30 days after receipt of the bill, which shall constitute notice of said assessment and demand of payment thereof. The total amount which may be assessed to the several utilities under authority of this subdivision shall not exceed the *sum of the annual budget of the board for carrying out the purposes of this subdivision plus 60 percent of the annual budget of the pollution control agency for developing the plan required by sections 1 to 4.* The assessment for the second quarter of each fiscal year shall be adjusted to compensate for the amount by which actual expenditures by the board *and the pollution control agency* for the preceding fiscal year were more or less than the estimated expenditures previously assessed.

Sec. 6. [APPROPRIATION.]

*The sum of \$81,455 is appropriated from the general fund to the agency for the purposes of this act; for fiscal year 1983, the assessment pursuant to section 5 shall not exceed this amount.*

Sec. 7. [EFFECTIVE DATE.]

*Section 5 is effective June 1, 1982. Sections 1 to 4 are effective July 1, 1982."*

Amend the title as follows:

Page 1, line 6, after the first semicolon, insert "imposing an assessment on utilities;"

Page 1, line 6, after the second semicolon, insert "amending Minnesota Statutes 1981 Supplement, Section 116C.69, Subdivision 3;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 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 1980, Section 169.80, Subdivision 1; and 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:

Pages 11 and 12, delete section 6 and insert:

"Sec. 6. Minnesota Statutes 1981 Supplement, Section 299D.03, Subdivision 5, is amended to read:

Subd. 5. [FINES AND FORFEITED BAIL MONEY.] (a) All fines and forfeited bail money, from traffic and motor vehicle law violations, collected from persons apprehended or arrested by such employees, shall be paid by (THE JUSTICE OF THE PEACE, OR) such (OTHER) person or officer collecting such fines, forfeited bail money or installments thereof, on or before the tenth day after the last day of the month in which such moneys were collected, to the county treasurer of the county where the violation occurred. Three-eighths of such receipts shall be credited to the general revenue fund of the county. The other five-eighths of such receipts shall be transmitted by that officer to the state treasurer and shall be credited to the trunk highway fund. If, however, the violation occurs within a municipality and the city attorney prosecutes the offense, and a plea of not guilty is entered, one-third of the receipts shall be



credited to the general revenue fund of the county, one-third of the receipts shall be paid to the municipality prosecuting the offense, and one-third shall be transmitted to the state treasurer as provided in this subdivision. All costs of participation in a nation-wide police communication system chargeable to the state of Minnesota shall be paid from appropriations for that purpose.

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

**Section 7. [169.762] [PRESSURIZED FLAMMABLE GAS.]**

*Subdivision 1. [MARKING REQUIRED.] Any vehicle within this state which carries liquefied petroleum gas fuel or natural gas in a tank attached to the vehicle in any concealed area, including but not limited to trunks, compartments, or under the vehicle, shall display on the exterior of the vehicle the words "Pressurized Flammable Gas", or a standard abbreviation or symbol as determined by the department of public safety, in block letters at least two inches high. The letters shall be of contrasting colors and shall be placed as near as possible to the area where the tank is located.*

*Subd. 2. [DISPENSING PROHIBITION.] No person shall dispense liquefied petroleum gas fuel or natural gas into any tank in a concealed area of a vehicle unless the vehicle is in compliance with the requirements of subdivision 1.*

*Subd. 3. [PENALTY.] Any owner convicted of violating the provisions of subdivisions 1 or 2 is guilty of a misdemeanor."*

Page 12, line 33, after the period insert "Section 7 is effective January 1, 1983."

Renumber the sections

Amend the title as follows:

Page 1, line 7, after the semicolon insert "requiring certain exterior markings on vehicles carrying liquefied petroleum gas

fuel in concealed tanks and prohibiting the dispensing of those fuels in unmarked vehicles; prescribing penalties;"

Page 1, line 11, after the semicolon insert "proposing new law coded in Minnesota Statutes, Chapter 169;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 2, line 27, after "court" insert "*for deposit in the general fund*"

Page 2, line 33, delete "nine" and insert "eleven"

Page 2, line 35, after "matters" insert "*, two public members who are not attorneys*"

Page 3, line 11, after "adopt" insert "*by rule*"

Page 3, line 12, delete "*as it determines to be appropriate*"

Page 3, line 18, delete "*determines to be appropriate*" and insert "*adopts in the form of court rules*"

Page 5, line 18, delete "REPORT" and insert "REPORTS"

Page 5, after line 24, insert:

*"The judicial planning committee shall submit a report to the chairmen of the house appropriations and senate finance committees by February 1, 1983, with recommendations relative to the appropriate placement of the administrative responsibilities of this act. The committee shall consider merging administrative functions with the duties of the board of public defense."*

Page 5, after line 24, insert a new section to read:

**"Sec. 7. [APPROPRIATIONS.]**

*There is appropriated from the general fund to the supreme court all monies deposited pursuant to section 2, subdivision 2, for the fiscal year ending June 30, 1983."*

Page 5, line 26, delete "6" and insert "7"

Page 5, line 29, delete "6" and insert "7"

Renumber the sections

Amend the title as follows:

Page 1, line 7, after the semicolon insert "appropriating money;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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

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

The report was adopted.

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

H. F. No. 2123, A bill for an act relating to public welfare; modifying certain provisions relating to medical assistance; providing for competitive bidding procedures; allowing a cause of action against responsible relatives; providing for payments to health maintenance organizations; appropriating money; amending Minnesota Statutes 1980, Sections 256B.04, by adding a subdivision; 256B.05, Subdivision 2; 256B.06, Subdivision 3; 256B.14; 256B.19, Subdivision 1; 256B.27, Subdivision 3; and Minnesota Statutes 1981 Supplement, Section 256.966.

Reported the same back with the following amendments:

Page 1, delete line 27

Reletter the clauses

Page 2, line 29, after "or" insert "the"

Page 4, line 20, after "organization" insert "*or who have been denied enrollment to receive the benefits of a health maintenance organization*"

Page 5, line 36, delete "6" and insert "5"

Page 6, line 1, after the period, insert "*The approved complement of the department of public welfare is increased by one professional for the purposes of section 5.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 411, A bill for an act relating to game and fish; limiting eligibility for antlerless deer permits in certain restricted hunting areas; amending Minnesota Statutes 1980, Section 97.48, Subdivision 24.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 97.48, Subdivision 24, is amended to read:

Subd. 24. The commissioner may limit the number of persons who may hunt deer *or bear in any areas*, when he determines that (THE GAME SUPPLY OR AREA OPEN TO HUNTING IS TOO SMALL FOR UNRESTRICTED HUNTING) *it is necessary to prevent an overharvest or to provide for a suitable distribution of hunters*, and he may establish by order any practicable method, including a drawing, for impartially determining the persons who may hunt in such areas. *Beginning with data available for the 1981 seasons, the commissioner shall give preference to hunters who have previously unsuccessfully applied for the license in question.*

Sec. 2. Minnesota Statutes 1980, Section 97.49, Subdivision 1a, is amended to read:

Subd. 1a. (a) For purposes of this subdivision, "deer license" means a license issued by the commissioner under the provisions of section 98.46, subdivision 2, clauses (2) and (3) and subdivision 14, clauses (2) and (3).

(b) It is the policy of this state that at least (\$1) \$2 from each deer license issued by the commissioner shall be used for the purpose of deer habitat improvement.

Sec. 3. Minnesota Statutes 1980, Section 97.49, is amended by adding a subdivision to read:

*Subd. 1b. (a) For the purposes of this subdivision, "resident deer license" means a license issued by the commissioner under the provisions of section 98.46, subdivision 2, clauses (2) and (3), and "resident bear license" means a license issued by the commissioner under the provisions of section 98.46, subdivision 2, clause (7).*

*(b) It is the policy of this state that at least \$1 from each resident deer license and each resident bear license shall be used to fund deer and bear management programs, including the computerized licensing system.*

Sec. 4. Minnesota Statutes 1980, Section 97.57, is amended to read:

#### 97.57 [DESTRUCTION OF BEAVER DAMS.]

*Subdivision 1. In any county with unanimous consent of the county board of commissioners, and approval of the land owner, the department of natural resources shall (DIRECT THE DESTRUCTION) take such action as the county board, commissioner of natural resources and land owner agree upon for the destruction or alteration of any beaver dam (AND) or for removal of beaver from any waterway, stream, or ditch where drainage is being impaired. Such action must be financially feasible. All state parks, state game refuges, and federal game preserves are excluded from this provision.*

*Subd. 2. In those cases where there is a threat to person or a serious threat to property resulting from a beaver dam, and where the consent required by subdivision 1 cannot be obtained, upon petition a district court may order the department of natural resources to take such actions as are appropriate to ameliorate or mitigate the threat or damage.*

Sec. 5. Minnesota Statutes 1980, Section 98.455, is amended to read:

#### 98.455 [BEAR HUNTING GUIDE LICENSE.]

No person shall for compensation engage in the business or occupation of placing bait for bear or guiding hunters in seeking to take bear without an annual license from the commissioner. The commissioner shall promulgate rules governing qualifications for, issuance and administration of licenses required by this section. No license shall be issued under this section after the day prior to the opening of the season for taking bear by firearms, and all license agents shall return all stubs and unsold license blanks to the county auditor at a time and in a manner to be determined by the commissioner. *No license to*

*take bear is necessary to guide bear hunters unless the guide is shooting or attempting to shoot a bear.*

Sec. 6. Minnesota Statutes 1980, Section 100.29, Subdivision 14, is amended to read:

Subd. 14. It shall be unlawful to take deer or moose from any artificial scaffold, platform, or other construction higher than (SIX) *nine* feet above the ground, or to take any big game animal or timber wolf with the aid of dogs or horses. *The height restrictions in this subdivision shall not apply to portable stands that are chained, belted, clamped, or tied with rope.*

Sec. 7. Minnesota Statutes 1980, Section 100.29, Subdivision 18, is amended to read:

Subd. 18. *Except as provided in this subdivision, it shall be unlawful to place decoys or erect blinds in public waters or on public lands more than one hour before the open season for waterfowl (. IT SHALL BE UNLAWFUL) or, thereafter, to place decoys in any public waters or on public lands more than one hour before sunrise (OR TO RESERVE OR PRE-EMPT A SHOOTING LOCATION IN PUBLIC WATERS OR ON PUBLIC LANDS, OR TO SO ATTEMPT, BY THE DEVICE OF LEAVING DECOYS, OR A BOAT, UNATTENDED IN PUBLIC WATERS OR ON PUBLIC LANDS BETWEEN SUNSET AND ONE HOUR BEFORE SUNRISE. THIS SUBDIVISION SHALL NOT APPLY TO DESIGNATED HUNTING STATIONS ESTABLISHED ON PUBLIC LANDS BY ORDER OF THE COMMISSIONER TO REGULATE HUNTING THEREON) each day of the open waterfowl season. During the open season for waterfowl it shall be unlawful to leave decoys, or an unattended boat used for hunting waterfowl, in public waters between sunset and one hour before sunrise unless the decoys or boat are adjacent to private lands under the control of the hunter and there is not a natural growth of weeds, rushes, flags, or other vegetation growing in water sufficient to partially conceal a hunter or a boat. It shall be unlawful at all times of the year to leave decoys in public waters between sunset and one hour before sunrise if the decoys constitute a navigational hazard.*

Sec. 8. Minnesota Statutes 1980, Section 101.42, Subdivision 18, is amended to read:

Subd. 18. Except as otherwise specifically permitted, it shall be unlawful to have in possession in an automobile or any vehicle or on their person, or at or near any waters, a spear, fish trap, net, dip net, seine, or any other device capable of taking fish, (WHICH MAY BE POSSESSED BETWEEN THE HOURS OF SUNRISE AND SUNSET) *or to take any fish by means of such devices during the period of February 16 to April 30, inclusive, except when acting under permit or contract*

to trap or seine from the division of (FISHERIES, DURING THE PERIOD OF FEBRUARY 16 TO APRIL 30, INCLUSIVE AND EXCEPT THAT) *fish and wildlife*. Spears, dip nets, bows and arrows, and devices permitted in section 101.51 used for the taking of rough fish may be possessed between the hours of sunrise and sunset after April 30. This subdivision does not apply to nets used in the taking of trout and smelt in season or to seines or traps used for the taking of minnows for bait or to *legal angling equipment*.

Sec. 9. Minnesota Statutes 1981 Supplement, Section 98.46, Subdivision 2, is amended to read:

Subd. 2. Fees for the following licenses, to be issued to residents only, shall be:

- (1) To take small game, \$7;
- (2) To take deer with firearms, (\$14) \$15;
- (3) To take deer with bow and arrow, (\$14) \$15;
- (4) To take fish by angling, \$6.50;
- (5) Combination husband and wife, to take fish by angling, \$10.50;
- (6) To take moose, \$140 for an individual or for a party of not to exceed four persons;
- (7) To take bear only, (\$14) \$15;
- (8) To take turkeys, \$10, in addition to a small game license;
- (9) To take raccoon, bobcat, coyote or fox with the aid of dogs, \$7.50, in addition to a small game license.

**Sec. 10. [561.051] [LIABILITY FOR ACTS OF WILD ANIMALS.]**

*An owner of land shall not be liable in trespass, nuisance, or otherwise for the actions of wild animals in their natural state.*

**Sec. 11. [DISPOSAL OF CERTAIN SURPLUS EQUIPMENT.]**

*Notwithstanding the provisions of section 16.07, or any other law, the commissioner of natural resources is authorized to negotiate the sale of surplus state equipment to the Leech Lake Band of Chippewa Indians. This authorization is limited to equipment in the possession of the Leech Lake Band of Chippewa*

*Indians and being used for enforcement of game and fish laws on March 1, 1982.*

**Sec. 12. [MILLE LACS BAND OF CHIPPEWA INDIANS.]**

*The commissioner, in consultation with the Mille Lacs Band of Chippewa Indians and other interested persons, shall review and evaluate the claimed right of the Mille Lacs Band to hunt, trap, fish and gather wild rice within the original boundaries of the Mille Lacs Indian Reservation and on contiguous waters free of state regulation and control. Based on this review the commissioner shall submit a report to the legislature by January 1, 1983, which shall include, but not be limited to, a discussion of the desirability and feasibility of entering into an agreement with the Mille Lacs Band similar to the agreements authorized by sections 97.431 to 97.433. Nothing herein shall be construed to authorize the commissioner to enter into any such agreement.*

**Sec. 13. [APPROPRIATION; COMPUTERIZED LICENSING SYSTEM.]**

*The sum of \$180,000 is appropriated from the game and fish fund to the commissioner of natural resources to develop and operate computerized licensing systems for the period ending June 30, 1983.*

**Sec. 14. [APPROPRIATION; EMERGENCY FEEDING.]**

*The sum of \$250,000 is appropriated from the game and fish fund to the commissioner of natural resources for the emergency feeding of deer, pheasants, and other wild animals during the winter of 1982. All money so appropriated which is unencumbered on July 1, 1982, shall revert to the game and fish fund.*

**Sec. 15. [EFFECTIVE DATE.]**

*Sections 1, 4, 5, 6, 10, and 14 are effective the day after final enactment. Sections 2, 3, and 9 are effective March 1, 1983."*

Delete the title and insert:

*"A bill for an act relating to wild animals; providing additional authority for the commissioner of natural resources to limit the numbers of deer and bear hunters under certain circumstances; increasing resident deer and bear license fees; appropriating money for deer and bear management, computerized licensing systems, and emergency feeding of wild animals during the winter of 1982; clarifying provisions concerning possession of certain equipment usable in taking fish; increasing the deer license habitat amount; authorizing the review of a possible agreement between the commissioner and the Mille Lacs Band of Chippewa Indians; clarifying the guide license to take bear;*



authorizing negotiated sale of certain surplus equipment; amending Minnesota Statutes 1980, Sections 97.48, Subdivision 24; 97.49, Subdivision 1a, and by adding a subdivision; 97.57; 98.455; 100.29, Subdivisions 14 and 18; 101.42, Subdivision 18; and Minnesota Statutes 1981 Supplement, Section 98.46, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 561."

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

S. F. No. 744, A bill for an act relating to natural resources; changing and clarifying administrative provisions regarding watershed districts; increasing per diem for district managers; stating procedures for adopting rules by managers; requiring revision of certain plans every ten years; allowing cash bonds; clarifying emergency procedures; amending Minnesota Statutes 1980, Sections 105.71, Subdivision 1a, and by adding subdivisions; 106.271; 106.471, Subdivision 1; 112.35, Subdivision 19; 112.37, Subdivision 1; 112.39, Subdivision 1; 112.42, Subdivisions 3, 5 and 6; 112.43, Subdivisions 1, 3, and by adding a subdivision; 112.46; 112.47; 112.48, Subdivisions 1, 2, and 4; 112.49, Subdivisions 1 and 7; 112.58; 112.61, Subdivision 3; 112.62, Subdivision 1; 112.64; 112.65, Subdivision 2; and 112.801, Subdivision 8; and Minnesota Statutes 1981 Supplement, Section 112.53, Subdivision 1.

Reported the same back with the following amendments:

Page 7, line 31, before "*The*" insert "*The rules shall be applicable only in the absence of county or municipal ordinances for the regulation of those items set forth in this clause.*"

Pages 21 and 22, delete sections 23, 24, and 25

Re-number the sections

Amend the title as follows:

Page 1, line 8, delete "105.71,"

Page 1, line 9, delete "Subdivision 1a, and by adding subdivisions;"

Page 1, line 16, delete "and 112.801,"

Page 1, line 17, delete "Subdivision 8;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 1239, A bill for an act relating to the operation of state government; authorizing the state board of investment to employ investment management firms to invest certain funds on its behalf; appropriating money; amending Minnesota Statutes 1980, Section 11A.04.

Reported the same back with the following amendments:

Page 2, line 27, after the period, insert: *"Each year, by January 15, the board shall report to the governor and legislature on the cost and the investment performance of each investment manager employed by the board."*

Sec. 2. Minnesota Statutes 1981 Supplement, Section 11A.24, Subdivision 4, is amended to read:

Subd. 4. [OTHER OBLIGATIONS.] The state board may invest funds in bankers acceptances, certificates of deposit, commercial paper, mortgage participation certificates and pools, repurchase agreements and reverse repurchase agreements and savings accounts if they conform to the following provisions:

(a) Bankers acceptances of United States banks shall be limited to those eligible for purchase by the Federal Reserve System;

(b) Certificates of deposit shall be limited to those issued by banks and savings institutions that meet the collateral requirements established in section 9.031, unless sufficient volume is unavailable at competitive interest rates. In that event, non-collateralized certificates of deposit may be purchased from United States banks and savings institutions that are rated in the highest quality category by a nationally recognized rating agency;

(c) Commercial paper shall be limited to those issued by United States corporations or their Canadian subsidiaries, shall be of the highest quality and mature in 270 days or less;

(d) Mortgage participation or pass through certificates evidencing interests in pools of first mortgages or trust deeds on improved real estate located in the United States where the loan to value ratio for each loan as calculated in accordance with section 61A.28, subdivision 3 does not exceed 80 percent for fully amortizable residential properties and in all other respects meets

the requirements of section 61A.28, subdivision 3. *In addition the state board may purchase from the Minnesota housing finance agency all or any part of any pool of residential mortgages, not in default, which has previously been financed by the issuance of bonds or notes of the agency. The state board may also enter into a commitment with the agency, at the time of any issue of bonds or notes, to purchase at a specified future date, not exceeding twelve years from the date of the issue, the amount of mortgage loans then outstanding and not in default, which have been made or purchased from the proceeds of the bonds or notes. The state board may charge reasonable fees for any such commitment, and may agree to purchase the mortgage loans at a price such that the yield thereon to the state board will, in its judgment, be comparable to that available on similar mortgage loans at the date of the bonds or notes. The state board may also enter into agreements with the agency for the investment of any portion of the funds of the agency for such period, with such withdrawal privileges, and at such guaranteed rate of return, if any, as may be agreed between the state board and the agency.*

(e) Repurchase agreements and reverse repurchase agreements shall be limited to the securities described in subdivision 2, clause (a) ;

(f) Savings accounts shall be limited to those fully insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

### Sec. 3. [EFFECTIVE DATE.]

*This act is effective on the day following final enactment."*

Amend the title as follows :

Page 1, line 6, before the period insert " ; and Minnesota Statutes 1981 Supplement, Section 11A.24, Subdivision 4"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 1398, 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 16, after "less," insert "*upon payment of a fee of \$10 and*"

Page 1, line 19, delete everything after the period

Page 1, delete line 20 to the period

Page 2, line 7, delete everything after the period and insert "*Upon return of the special plates, the owner or purchaser of the vehicle is entitled to receive regular plates for the vehicle without cost for the remainder of the registration period for which the special plates were issued.*"

Page 2, delete lines 8 to 10 and insert "*Firefighter license plates issued pursuant to this subdivision may be transferred to another motor vehicle upon payment of \$5, which fee shall be paid into the state treasury and credited to the highway user tax distribution fund.*"

Page 2, line 11, delete "shall" and insert "may"

Page 2, line 14, after the period insert "*All fees from the sale of special license plates for firefighters shall be paid into the state treasury and credited to the highway user tax distribution fund.*"

## Sec. 2. [APPROPRIATION.]

*There is appropriated from the highway user tax distribution fund to the commissioner of public safety the sum of \$175,000 for fiscal year 1983 for the purpose of providing firefighter license plates."*

Amend the title as follows:

Page 1, line 4, after the semicolon insert "*imposing an additional fee for firefighter license plates;*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 1499, A bill for an act relating to motor vehicles; providing for special license plates for former prisoners of war; proposing new law coded in Minnesota Statutes, Chapter 168.

Reported the same back with the following amendments:

Page 2, line 2, delete "\$20" and insert "\$10"

Page 2, line 28, delete "shall" and insert "may"

Page 3, after line 2, add a new section as follows:

"Sec. 2. [APPROPRIATION.]

*There is appropriated from the highway user tax distribution fund to the commissioner of public safety the sum of \$10,000 for fiscal year 1983 for the purpose of providing "EX-POW" license plates."*

Amend the title as follows:

Page 1, line 3, after the semicolon insert "appropriating money;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 1671, A bill for an act relating to environment; providing for the chairmanship, staff, and administration of the environmental quality board; amending Minnesota Statutes 1980, Section 116C.03, Subdivision 2a, and by adding subdivisions; Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivisions 2 and 4; repealing Minnesota Statutes 1980, Sections 116C.04, Subdivisions 8 and 9; 116C.05; 116C.07; and Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivision 2, is amended to read:

Subd. 2. The board shall include as permanent members the (HEAD OF THE PLANNING DIVISION) commissioner of the department of energy, planning and development, the director of the pollution control agency, the commissioner of natural resources, the commissioner of agriculture, the commissioner of health, the commissioner of transportation, and a representative of the governor's office designated by the governor. The governor shall appoint five members from the general public to the board, subject to the advice and consent of the senate.

Sec. 2. Minnesota Statutes 1980, Section 116C.03, Subdivision 2a, is amended to read:

Subd. 2a. The membership terms, compensation, removal, and filling of vacancies of (CITIZENS ADVISORY COMMITTEE MEMBERS OR PUBLIC) *board* members (, AS APPROPRIATE, ON THE BOARD) shall be as provided in section 15.0575.

Sec. 3. Minnesota Statutes 1980, Section 116C.03, is amended by adding a subdivision to read:

*Subd. 3a. The representative of the governor's office shall serve as chairman of the board.*

Sec. 4. Minnesota Statutes 1981 Supplement, Section 116C.-03, Subdivision 4, is amended to read:

Subd. 4. The (COMMISSIONER OF ENERGY, PLANNING AND DEVELOPMENT) *board* shall employ staff or consultants who will be assigned to work for the board on a continuous basis. *The staff may include an executive director who shall serve in the unclassified service and be responsible for administering the board's staff, work program, budget, and other duties delegated by the board.* The board shall have the authority to request and require staff support from all other agencies of state government as needed for the execution of the responsibilities of the board.

Sec. 5. Minnesota Statutes 1980, Section 116C.03, is amended by adding a subdivision to read:

*Subd. 5. The board shall contract with the department of energy, planning and development for administrative services necessary to the board's activities. The services shall include personnel, budget, payroll and contract administration.*

Sec. 6. Minnesota Statutes 1980, Section 116C.03, is amended by adding a subdivision to read:

*Subd. 6. The board shall adopt an annual budget and work program.*

Sec. 7. Minnesota Statutes 1980, Section 116C.04, is amended by adding a subdivision to read:

*Subd. 10. The board shall resolve water policy conflicts between state agencies, coordinate water planning activities of local and regional bodies with state planning and integrate these plans with state strategies, and assure the participation of the public and all units of government in the preparation and implementation of all state water resources planning activities.*

Sec. 8. Minnesota Statutes 1980, Section 362.12, is amended by adding a subdivision to read:

**Subd. 5. [WATER RESOURCE PLANNING.]** *The board shall:*

(1) *review water resources programs and proposed budgets of state agencies and departments involved in water planning and management and report to the governor and the legislature on the compatibility of agency programs, rules, and budgets with state water policy and the framework plan prepared pursuant to Laws 1977, Chapter 446, Section 1;*

(2) *initiate, coordinate, and develop comprehensive, long-range water resources planning in furtherance of the framework plan;*

(3) *evaluate and recommend improvements in state laws, rules, and procedures in order to reduce overlap, duplication, or conflicting jurisdictions among the state, local, and interstate agencies having jurisdiction in the area of water resource management and regulations; and*

(4) *direct involvement of the state in activities relating to the federal Water Resources Planning Act, Public Law 89-80, as amended, including administration of Title III funding and other federal water resources funding programs with multi-agency interest.*

**Sec. 9. [SWIM TRANSFER.]**

*The administration and maintenance of the system for water information management shall be transferred from the water planning board to the land management information center in the department of energy, planning, and development.*

**Sec. 10. [TRANSITIONAL PROVISION; PERSONNEL.]**

*In so far as possible, and subject to appropriation, the state employees involved in the duties of the water planning board created pursuant to Laws 1977, Chapter 446, Section 1, who are in the unclassified service shall be transferred to the environmental quality board and to the department of energy, planning, and development.*

**Sec. 11. [APPROPRIATION.]**

*Subdivision 1. \$120,000 of the appropriation made in Laws 1981, Chapter 356, Section 31, Subdivision 12, is reappropriated to the environmental quality board for the purpose of sections 7 and 8 of this act. This sum shall be available until June 30, 1983. The complement of the board is increased by three.*

*Subd. 2. \$30,000 of the appropriation made in Laws 1981, Chapter 356, Section 31, Subdivision 12, is reappropriated to*

*the department of energy, planning, and development for the purpose of section 9 of this act. This sum is available until June 30, 1983. The complement of the department is increased by one.*

**Sec. 12. [REPEALER.]**

*Minnesota Statutes 1980, Sections 105.401; 116C.04, Subdivisions 8 and 9; 116C.05; 116C.07; and Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivision 3, are repealed.*

**Sec. 13. [EFFECTIVE DATE.]**

*Sections 1 to 12 are effective July 1, 1982."*

Amend the title as follows:

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

Page 1, line 5, delete "Section" and insert "Sections"

Page 1, line 6, after the semicolon insert "116C.04, by adding a subdivision; and 362.12, by adding a subdivision;"

Page 1, line 8, after "Sections" insert "105.401;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 1910, A bill for an act relating to public welfare; requiring preadmission screening for patients entering nursing homes from hospitals; allowing hospital discharge planners to attend certain preadmission screening assessments; allowing recipient choice between long term care and alternative care; modifying cost limits for alternative care; amending Minnesota Statutes 1980, Section 256B.091, Subdivisions 2, 4, and 6; and Minnesota Statutes 1981 Supplement, Section 256B.091, Subdivision 8.

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

The report was adopted.

**SECOND READING OF HOUSE BILLS**

H. F. Nos. 400, 1025, 1099, 1115, 1477, 1542, 1691, 1702, 1789, 1815, 1826, 1840 and 2123 were read for the second time.



## SECOND READING OF SENATE BILLS

S. F. Nos. 1589, 411, 744, 1239, 1398, 1499, 1671 and 1910 were read for the second time.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Anderson, G.; Mann; Mehrkens; Valan and Anderson, I., introduced:

H. F. No. 2283, A bill for an act relating to transportation; establishing a rural transportation improvement program; imposing taxes on certain motor carriers and common carrier railroads and imposing duties on those motor and railroad carriers; providing for the expenditure of the proceeds of the taxes; imposing certain duties on the commissioners of revenue and transportation; establishing a grant program; prescribing penalties; appropriating money; amending Minnesota Statutes 1981 Supplement, Section 222.50, Subdivision 7; proposing new law coded as Minnesota Statutes, Chapter 295A.

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

Marsh introduced:

H. F. No. 2284, A bill for an act relating to zoning; providing for the zoning of abortion facilities; proposing new law coded in Minnesota Statutes Chapter 471.

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

## HOUSE ADVISORIES

The following House Advisories were introduced:

Jacobs; Redalen; Carlson, D.; Sarna and Anderson, I., introduced:

H. A. No. 60, A proposal to study the advantages or disadvantages of public ownership of cable communication systems.

The advisory was referred to the Committee on Regulated Industries.

Carlson, D., introduced:

H. A. No. 61, A proposal to study the feasibility of consolidation of school districts on administrative level.

The advisory was referred to the Committee on Education.

Carlson, D., introduced:

H. A. No. 62, A proposal to study establishment of state land policy governing acquisition, management and disposal of state lands under control of Department of Natural Resources.

The advisory was referred to the Committee on Environment and Natural Resources.

Carlson, D., introduced:

H. A. No. 63, A proposal to study the establishment of a task force on waste and mismanagement in government operations.

The advisory was referred to the Committee on Governmental Operations.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 1336, A bill for an act relating to retirement; highway patrol benefits and refunds; providing annual benefit increases to pre-1973 retirees and surviving spouses; appropriating funds; amending Minnesota Statutes 1980, Section 352B.11, Subdivision 1; and Minnesota Statutes 1981 Supplement, Sections 352B.02, Subdivision 1; 352B.08, Subdivision 2; and 352B.11, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 352B.

H. F. No. 1646, A bill for an act relating to retirement; Buhl school district; altering the effective date of retirement for the payment of the post-retirement increase; requiring payment of necessary reserves.

H. F. No. 1920, A bill for an act relating to economic development; excepting motor carriers from the definition of "business license;" amending Minnesota Statutes 1981 Supplement, Section 362.452, Subdivision 2a.

H. F. No. 1948, A bill for an act relating to retirement; Richfield firefighters relief association; eliminating various obsolete special law provisions; validating certain prior payments or actions; amending Extra Session Laws 1961, Chapter 28, Section

14; repealing Extra Session Laws 1961, Chapter 28, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13; and Laws 1963, Chapter 464.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2175, A bill for an act relating to Minnesota Statutes, correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating certain redundant, conflicting and superseded provisions; authorizing the revisor of statutes to make necessary reference changes if the administrative procedure act is recompiled as a separate chapter; amending Minnesota Statutes 1980, Sections 60C.02, Subdivision 1; 62B.04, Subdivision 1; 92.03, Subdivision 4; 106.011, Subdivision 20; 106.021, Subdivision 2; 106.081, Subdivision 1; 106.091, Subdivision 2; 120.17, Subdivisions 4a and 5; 123.21; 123.78, Subdivision 1; 123.932, Subdivision 1a; 125.12, Subdivision 3; 129.121, Subdivision 1; 136.015; 145.833, Subdivisions 9, 10 and 11; 160.05, Subdivision 1; 175.35; 177.23, Subdivisions 4, 7 and 10; 177.27; 177.28; 177.29; 177.30; 177.31; 177.32; 177.33; 177.34; 177.35; 214.14, Subdivision 1; 273.11, Subdivision 5; 282.01, Subdivision 1; 290.41, Subdivision 3; 458.192, Subdivision 15; 462.415, Subdivisions 4 and 6; 462.421, Subdivisions 1, 2, and 20; 462.425,

Subdivision 7; 462.426, Subdivision 1; 462.427, Subdivision 2; 462.428, Subdivision 3; 462.445, Subdivisions 1, 4 and 5; 462.451, Subdivision 2; 462.461, Subdivisions 1 and 2; 462.485; 462.511; 462.541, Subdivision 2; 462.545, Subdivisions 1, 2, 3 and 6; 462.555; 462.561; 462.571; 462.581; 462.591, Subdivision 1; 462.621, Subdivisions 1 and 3; 462.631, Subdivision 1; 462.635; 462.645, Subdivisions 1, 5 and 7; 462.665; 462.671; 462.701; 462.705; 462.712; 462.713; 473.195, Subdivision 1; 504.24, Subdivision 2; Chapter 111, by adding a section; Minnesota Statutes 1981 Supplement, Sections 11A.18, Subdivision 9; 43A.08, Subdivision 2; 43A.27, Subdivision 2; 47.20, Subdivisions 4a and 4b; 60A.11, Subdivisions 9 and 10; 69.011, Subdivision 2; 69.031, Subdivision 5; 97.488, by adding a subdivision; 116H.129, Subdivisions 1, 5 and 6; 156A.02, Subdivision 6; 168.013, Subdivision 1c; 169.825, Subdivision 10; 171.36; 176.306, Subdivision 2; 204B.31; 222.63, Subdivision 4; 273.11, Subdivision 1; 290.077, Subdivision 4; 290.09, Subdivision 15; 299F.011, Subdivision 1; 353.01, Subdivisions 2a and 6; 355.11, Subdivision 5; 414.0325, Subdivision 5; 462.601; 462.605; 514.011, Subdivision 4a; 525.-551, Subdivision 5; 525.6198; and Laws 1981, Chapter 224, Section 73; repealing Minnesota Statutes 1980, Section 60A.11, Subdivisions 5a and 5b; Minnesota Statutes 1981 Supplement, Section 290.971, Subdivision 7; Laws 1980, Chapter 587, Article I, Sections 31, 32, 33, 34, 35, 36, 37, 38 and 39; Laws 1981, Chapters 31, Section 7; 60, Section 14; 137, Section 3; 158; 178, Section 33; 205, Section 1; 224, Section 92; 255, Sections 1, 3 and 4; 356, Sections 99, 189, 190, 191, 210 and 212; and 357, Section 28.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Vellenga moved that the House concur in the Senate amendments to H. F. No. 2175 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2175, A bill for an act relating to Minnesota Statutes, correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating certain redundant, conflicting and superseded provisions; authorizing the revisor of statutes to make necessary reference changes if the administrative procedure act is recompiled as a separate chapter; amending Minnesota Statutes 1980, Sections 60C.02, Subdivision 1; 62B.04, Subdivision 1; 92.03, Subdivision 4; 106.011, Subdivision 20; 106.-021, Subdivision 2; 106.081, Subdivision 1; 106.091, Subdivision 2; 120.17, Subdivisions 4a and 5; 123.21; 123.78, Subdivision 1; 123.932, Subdivision 1a; 125.12, Subdivision 3; 129.121, Subdivision 1; 136.015; 145.61, Subdivision 2; 145.833, Subdivisions 9, 10 and 11; 160.05, Subdivision 1; 175.35; 177.23, Subdivisions 4, 7 and 10; 177.27; 177.28; 177.29; 177.30; 177.31; 177.32; 177.-33; 177.34; 177.35; 214.14, Subdivision 1; 273.11, Subdivision 5; 282.01, Subdivision 1; 290.41, Subdivision 3; 458.192, Subdivision 15; 462.415, Subdivisions 4 and 6; 462.421, Subdivisions 1, 2 and 20; 462.425, Subdivision 7; 462.426, Subdivision 1; 462.-427, Subdivision 2; 462.428, Subdivision 3; 462.445, Subdivisions

1, 4 and 5; 462.451, Subdivision 2; 462.461, Subdivisions 1 and 2; 462.485; 462.511; 462.541, Subdivision 2; 462.545, Subdivisions 1, 2, 3 and 6; 462.555; 462.561; 462.571; 462.581; 462.591, Subdivision 1; 462.621, Subdivisions 1 and 3; 462.631, Subdivision 1; 462.635; 462.645, Subdivisions 1, 5 and 7; 462.665; 462.671; 462.701; 462.705; 462.712; 462.713; 473.195, Subdivision 1; 504.24, Subdivision 2; Chapter 111, by adding a section; Minnesota Statutes 1981 Supplement, Sections 11A.18, Subdivision 9; 43A.08, Subdivision 2; 43A.27, Subdivision 2; 47.20, Subdivisions 4a and 4b; 60A.11, Subdivisions 9 and 10; 69.011, Subdivision 2; 69.031, Subdivision 5; 97.488, by adding a subdivision; 116H.129, Subdivisions 1, 5 and 6; 156A.02, Subdivision 6; 168.013, Subdivision 1c; 169.825, Subdivision 10; 171.36; 176.306, Subdivision 2; 204B.31; 222.63, Subdivision 4; 273.11, Subdivision 1; 290.077, Subdivision 4; 290.09, Subdivision 15; 299F.011, Subdivision 1; 353.01, Subdivisions 2a and 6; 355.11, Subdivision 5; 414.0325, Subdivision 5; 462.601; 462.605; 514.011, Subdivision 4a; 525.551, Subdivision 5; 525.6198; and Laws 1981, Chapter 224, Section 73; repealing Minnesota Statutes 1980, Section 60A.11, Subdivisions 5a and 5b; Minnesota Statutes 1981 Supplement, Section 290.971, Subdivision 7; Laws 1980, Chapter 587, Article I, Sections 31, 32, 33, 34, 35, 36, 37, 38 and 39; Laws 1981, Chapters 31, Section 7; 60, Section 14; 137, Section 3; 158; 178, Section 33; 205, Section 1; 224, Section 92; 255, Sections 1, 3 and 4; 356, Sections 99, 189, 190, 191, 210 and 212; and 357, Section 28.

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

The question was taken on the repassage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 1555, A bill for an act relating to education; providing for aids to education, tax levies, and the distribution of tax revenues; governing the recognition of school district property tax revenues and the computation of levies; granting certain powers and duties to school districts, the state board of education, and others; altering the method of distribution of transportation aid; altering aids for summer school; repealing certain administrative rules; reducing certain appropriations; appropriating money; amending Minnesota Statutes 1980, Sections 120.17, Subdivision 4a; 121.11, Subdivision 12; 121.908, Subdivision 3; 121.912, Subdivisions 2 and 3; 122.90, Subdivision 1; 123.37, Subdivision 1b; 123.741, Subdivision 1; 123.78, Subdivision 1; 124.19, Subdivision 1, and by adding a subdivision; 124.213, Subdivision 2; 124.32, Subdivisions 7 and 10; 126.262, Subdivision 1; 126.264, Subdivision 3; 126.265; 126.267; 134.34, by adding a subdivision; 275.125, Subdivision 1a, as added; 275.125, Subdivisions 2a, 2d, 2e, 5, as amended, 6b, 6c, 7a, 7c, 9, 19, 20, and by adding subdivisions; 275.48; 298.28, Subdivision 1; 475.61, Subdivision 4; Minnesota Statutes 1981 Supplement, Sections 120.17, Subdivisions 5a and 6; 121.904, Subdivisions 4 and 7; 122.531, Subdivision 6; 122.542, Subdivisions 3 and 4; 123.35, by adding a subdivision; 123.702, Subdivisions 1 and 1a; 123.705; 124.01, Subdivision 1; 124.17, Subdivision 2; 124.2121, Subdivisions 2, 4, and 5, as amended; 124.2122, Subdivisions 1, and 2, as amended; 124.2123, Subdivisions 1, 3, and by adding a subdivision; 124.2124, Subdivisions 1, as amended, and 3; 124.2125, Subdivision 1, as amended; 124.2126, Subdivision 3; 124.2128, Subdivisions 1 and 5; 124.2129, Subdivision 3, and by adding a subdivision; 124.213, Subdivision 2; 124.223; 124.225, as amended; 124.245, Subdivisions 1 and 1a; 124.251; 124.271, Subdivision 2a; 124.32, Subdivisions 1, 1a, and 5; 124.38, Subdivision 7; 124.5624, Subdivisions 3 and 4; 124.5627, Subdivisions 3, 4, and 5; 125.611, Subdivision 5; 136A.81, Subdivision 1; 275.125, Subdivisions 8 and 11b; Laws 1981, Chapter 358, Article II, Section 15, Subdivision 3; Article VII, Section 29, as amended; Third Special Session Chapter 2, Article II, Sections 1, 2, 15, and 20; Article IV, Sections 3, Subdivisions 2 and 3; 5, Subdivision 3, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapters 120 and 124; repealing Minnesota Statutes 1980, Sections 121.904, Subdivisions 4a and 4b, as added; 121.96; 123.37, Subdivisions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14; 128.05; Laws 1967, Chapters 251 and 253; and Laws 1976, Chapter 20, Section 8.

PATRICK E. FLAHAVEN, Secretary of the Senate

McEachern moved that the House refuse to concur in the Senate amendments to H. F. No. 1555, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

**Mr. Speaker:**

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

H. F. No. 1872, A bill for an act relating to the financing of government in this state; extending the effective date of residential energy credits; providing the interest rate maximum on certain public indebtedness; exempting certain towns from general levy limits; providing an action to enjoin certain tax return preparers from engaging in certain conduct or from preparing returns; making technical corrections and administrative changes to the income tax and property tax refund; clarifying the taxation of gravel and the distribution of revenue; validating certain tax collections by Clay County; providing for allocation of income for nonresident athletes and entertainers; providing for apportionment of income for athletic teams; permitting leases and installment purchases of equipment by local governments and providing for their tax and fiscal treatment; requiring notification to school districts of certain property tax assessment challenge proceedings; authorizing school districts to participate at certain hearings; providing for the collection of taxes; altering the date on which warrants are issued to the sheriff for collection of certain delinquent mobile home property taxes; clarifying the taxation of meals and food products for sales tax purposes; imposing a tax on on-sales of liquor and fermented malt beverages; providing for the financing of certain chemical dependency programs; providing for the lease of hydropower sites by the state or local governmental units; eliminating tax recapture or payment acceleration of deferred special assessments upon certain sales of qualifying agricultural property; providing for reassessment of homestead property damaged by a disaster; allowing the town of Rice Lake to levy in excess of its levy limitation for taxes payable in 1982; providing for withholding of income tax refunds from child support debtors; providing for taxation of certain motor vehicles and combinations in the ninth and succeeding years of vehicle life; permitting the towns of Erin, Forest, Webster, and Wheatland in Rice County to impose a special levy for fire protection purposes; adopting certain federal definitions for purposes of the credit for research and experimental expenditures; providing for homestead treatment of certain condominium leased land; clarifying the homestead classification in certain

cases of joint tenancy; clarifying use of additional sales ratio study information; allowing disclosure of private data to permit vendor processing of income and sales tax returns; redefining rent constituting property taxes; providing for the rate and disposition of certain taconite credits; providing for school bonds and related taxation in certain school districts; providing that landowners in unorganized townships receive a property tax credit for certain high voltage transmission lines; providing for the imposition of sales tax on certain retail sales of manufactured homes; allowing a levy limit increase for Clearwater County; granting the city of Bloomington port authority certain redevelopment financing powers; requiring county auditors to combine certain legal descriptions for property tax purposes; providing for sales of unstamped cigarettes to members of Indian tribes; imposing a fee on completion of tax forfeited land sales; revising the metropolitan agricultural preserves act; adopting certain federal income tax amendments; adopting federal income tax treatment of unemployment compensation; increasing the rate of interest allowed on certain contracts for deed qualifying for an income tax exclusion; altering the adoption of accelerated cost recovery system; exempting plant material from the sales tax; providing a freeze on property taxes paid on the first \$50,000 of market value of homesteads owned by elderly persons; imposing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 105.482, Subdivision 1, and by adding subdivisions; 168.012, by adding a subdivision; 270.06; 270.07, Subdivision 1; 270.10, Subdivision 1; 270.70, Subdivisions 1, 2, 3, and 5, and by adding subdivisions; 272.02, Subdivision 1; 273.111, Subdivisions 9, 11, and by adding a subdivision; 273.121; 273.13, Subdivision 7c; 273.42, as amended; 273.425; 274.19, Subdivision 3; 278.01; 278.05, Subdivisions 2 and 4; 282.014; 282.09, Subdivision 1; 290.01, by adding a subdivision; 290.012, Subdivision 2; 290.02; 290.03; 290.032, Subdivision 5; 290.06, Subdivisions 9 and 9a; 290.079, Subdivision 1; 290.09, Subdivisions 16 and 17; 290.095, Subdivision 4; 290.13, Subdivision 1; 290.133, Subdivision 1; 290.16, Subdivision 15, as amended, and 16, as amended; 290.19, Subdivision 1; 290.281, Subdivision 1; 290.31, Subdivisions 5 and 19; 290.36; 290.45, Subdivisions 1 and 2; 290.48, Subdivisions 3, 4, 6, and 8; 290.49, Subdivisions 3, 7, and by adding a subdivision; 290.50, by adding a subdivision; 290.53, Subdivisions 2 and 5, and by adding a subdivision; 290.54; 290.65, Subdivisions 9 and 11; 290.91; 290.92, Subdivisions 4a, 13, and 23; 290.93, Subdivision 9; 290.936; 290A.03, by adding a subdivision; 290A.11, by adding a subdivision; 296.01, Subdivision 8; 296.14, Subdivision 1; 296.17, Subdivision 11; 297A.33, Subdivision 2; 297A.39, Subdivisions 2 and 5; 297A.43; 297B.03; 465.71; 473H.02, Subdivision 2, and by adding a subdivision; 473H.04, Subdivisions 1 and 2; 473H.05, Subdivision 1, and by adding a subdivision; 473H.06, Subdivisions 1, 2, and 5; 473H.08, Subdivision 4; 473H.14; 473H.15, by adding a subdivision; 473H.16, Subdivision 3; 475.55, Subdivision 1, and by adding a subdivision; 508.25; 559.21, by adding a subdivision; 580.15; Minnesota Statutes 1981 Supple-



ment, Sections 168.013, Subdivision 1e; 270.063; 270.66; 270.75, Subdivisions 4, as amended, and 5, as amended, and by adding a subdivision; 272.46; 273.11, Subdivision 1; 275.50, Subdivision 2; 290.01, Subdivisions 20, as amended, and 27; 290.05, Subdivisions 1 and 4; 290.06, Subdivision 14; 290.075; 290.081; 290.09, Subdivisions 4, 7, as amended, 15, and 29; 290.091, as amended; 290.-095, Subdivision 11; 290.10; 290.131, Subdivision 1; 290.132, Subdivision 1; 290.136, Subdivision 1; 290.14; 290.17, Subdivision 2; 290.18, Subdivisions 1 and 2; 290.21, Subdivision 3; 290.23, Subdivision 3; 290.31, Subdivisions 3 and 4; 290.32; 290.37, Subdivision 1; 290.41, Subdivision 2; 290.42; 290.431; 290.61; 290.92, Subdivisions 2a, 5, 5a, 6 and 15; 290.93, Subdivisions 1 and 10; 290.934, Subdivision 4; 290.9725; 290.974; 290A.03, Subdivisions 3, 8, 11, and 13; 290A.07, Subdivision 2a; 290A.11, Subdivision 1; 296.12, Subdivision 4; 297A.01, Subdivision 3; 297A.25, Subdivision 1, as amended; 298.225; 298.24, Subdivision 3; 298.75; Laws 1980, Chapter 453, by adding a section; Laws 1981, Third Special Session Chapter 2, Article III, Section 6; proposing new law coded in Minnesota Statutes, Chapters 270, 273, 290, 295, 297, 297A, 340 and 473H; repealing Minnesota Statutes 1980, Sections 62E.03, Subdivision 2; 290.06, Subdivision 3c; 290.0781; 290.079, Subdivisions 2, 3, 4, and 5; 290.08, Subdivision 21; 290.09, Subdivision 24; 290.13, Subdivisions 2, 4, and 10; 290.136, Subdivision 8; 290.26, Subdivision 5; 290.281, Subdivisions 3, 4, and 6; 290.31, Subdivisions 7, 8, 12, 13, 14, 15, 16, 17, 18, 20, 22, 23, 24, 25, and 26; 290.48, Subdivisions 1 and 9; 290.51; 290.65, Subdivisions 2, 3, 4, 5, 6, and 7; 290.97; 290.973; 297A.33, Subdivision 6; 297A.36; 297A.39, Subdivision 6; 297A.40, Subdivision 2; Minnesota Statutes 1981 Supplement, Sections 290.079, Subdivision 6; 290.09, Subdivision 17a; 290.-131, Subdivisions 2 and 3; 290.132, Subdivision 2; 290.133, Subdivision 2; 290.21, Subdivision 7; 290.26, Subdivisions 1 and 3; 290.281, Subdivision 2; 290.31, Subdivisions 6, 8a, 9, 10, 11, and 21; 290.48, Subdivision 2; 290.971, Subdivision 7; and 298.76.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, I., moved that the House refuse to concur in the Senate amendments to H. F. No. 1872, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

H. F. No. 12, A bill for an act relating to public utilities; revising the process for approval of rate changes; abolishing "rates under bond"; providing for interim rates; amending Minnesota Statutes 1980, Sections 216B.16, Subdivisions 1, 2, 3, 5, and 7; and 237.075, Subdivisions 1, 2, 3, 5, and 6; and Minnesota Statutes 1981 Supplement, Sections 216B.16, Subdivision 1a; and 237.075, Subdivision 1a.

PATRICK E. FLAHAVEN, Secretary of the Senate

### CONCURRENCE AND REPASSAGE

Otis moved that the House concur in the Senate amendments to H. F. No. 12 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 12, A bill for an act relating to public utilities; revising the process for approval of rate changes; abolishing "rates under bond"; providing for interim rates; amending Minnesota Statutes 1980, Sections 216B.16, Subdivisions 1, 2, 3, 5, and 7; and 237.075, Subdivisions 1, 2, 3, 5, and 6; and Minnesota Statutes 1981 Supplement, Sections 216B.16, Subdivision 1a; and 237.075, Subdivision 1a.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

S. F. Nos. 1825, 1950 and 2030.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1078, 1523, 1631, 1758, 2035 and 2048.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1818 and 1840.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1421 and 1623.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1747, 1908 and 2111.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1207 and 1894.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 1684.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 518 and 1541.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1630, 1640, 1869, 1957 and 2141.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 1809.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1670 and 1715.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 929, 1221, 1561, 1677, 1886 and 1888.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 63, 1522 and 1706.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1022, 1907, 1967, 2000, 2006 and 2121.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 1966.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1955, 2062 and 2125.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 1487.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 1949.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 19, 1740, 1879 and 1987.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 1825, A bill for an act relating to the collection and dissemination of data; proposing the classification of certain welfare data as nonpublic; amending Minnesota Statutes 1980, Section 15.1691, Subdivision 6; Minnesota Statutes 1981 Supplement, Sections 15.781, Subdivision 1; and 15.791, Subdivision 9.

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

S. F. No. 1950, 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, Subdivisions 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.

Ellingson moved that S. F. No. 1950 and H. F. No. 2092, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2030, A bill for an act relating to economic development; granting power to the commissioner of energy, planning and development with respect to community development corporation grants; amending Minnesota Statutes 1980, Section 362.41, by adding a subdivision.

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

S. F. No. 1078, A bill for an act relating to game and fish; allowing the commissioner of natural resources to authorize the use of snowmobiles in connection with taking beaver or otter; amending Minnesota Statutes 1980, Section 100.29, Subdivision 30.

The bill was read for the first time.

Lemen moved that S. F. No. 1078 and H. F. No. 1440, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1523, A bill for an act relating to the city of Little Falls; extending a certain expired deferred compensation option to the city administrator therein.

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

S. F. No. 1631, 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.

Stumpf moved that S. F. No. 1631 and H. F. No. 2125, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1758, A bill for an act relating to crimes; prohibiting conspiracies to violate controlled substances laws; clarifying the crime of escape from jail; prescribing penalties; amending Minnesota Statutes 1980, Section 609.485, Subdivision 3; proposing new law coded in Minnesota Statutes 1980, Chapter 152.

The bill was read for the first time.

Kelly moved that S. F. No. 1758 and H. F. No. 1758, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2035, 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.

S. F. No. 2048, 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.

Battaglia moved that S. F. No. 2048 and H. F. No. 2117, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1818, A bill for an act relating to financial institutions; providing for maximum interest rates on the unpaid balance of loans made by a bank, savings bank, savings association, or credit union; making a temporary, superseding interest rate provision permanent; amending Minnesota Statutes 1980, Sections 48.153, Subdivisions 1a and 3a; 52.14, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 48.195; repealing Minnesota Statutes 1980, Sections 48.153, Subdivisions 1 and 3; and 52.14, Subdivision 1.

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

S. F. No. 1840, A bill for an act relating to commerce; providing for a determination of when certain property held by a financial institution or business organization is presumed



abandoned; amending Minnesota Statutes 1980, Sections 345.32, as amended; and 345.39, as amended.

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

S. F. No. 1421, A bill for an act relating to fish and wildlife; providing additional authority for the commissioner of natural resources to limit the numbers of deer and bear hunters under certain circumstances; increasing resident deer and bear license fees; providing for deer and bear management, computerized licensing systems, and emergency feeding of wild animals during the winter of 1982; clarifying provisions concerning possession of certain equipment usable in taking fish; authorizing negotiated sale of certain surplus equipment; appropriating money; amending Minnesota Statutes 1980, Sections 97.48, Subdivision 24; 97.49, Subdivision 1a, and by adding a subdivision; and 101.42, Subdivision 18; and Minnesota Statutes 1981 Supplement, Section 98.46, Subdivision 2.

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

S. F. No. 1623, A bill for an act relating to municipal bonds; providing a formula for determining limitations on interest rates; changing a public sale requirement; amending Minnesota Statutes 1980, Sections 474.06; 475.55 and 475.60, Subdivision 2.

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

S. F. No. 1747, A bill for an act relating to natural resources; requiring payment of interest on late refunds to timber sale permit holders; authorizing reappraisal of damaged or destroyed timber sold under a permit; authorizing settlement of permit obligations when a permittee is incapacitated or deceased; extending the time during which the commissioner of natural resources may extend timber permits; amending Minnesota Statutes 1980, Section 90.201; and Laws 1981, Chapter 305, Section 11.

The bill was read for the first time.

Beigich moved that S. F. No. 1747 and H. F. No. 1838, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1908, A bill for an act relating to waters and watercraft safety; amending the definition of watercraft; defining paddle boat; changing registration fees; amending Minnesota Statutes 1980, Sections 361.02, Subdivision 7, and by adding a subdivision; and 361.03, Subdivision 3.

The bill was read for the first time.

Hokanson moved that S. F. No. 1908 and H. F. No. 1935, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2111, A bill for an act relating to real estate; directing conveyances of the state's right, title and interest in certain lands to Lake of the Woods County and Beltrami County.

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

S. F. No. 1207, A bill for an act relating to intoxicating liquor; providing an exemption from the multiple interest limitation on off-sale licenses for pre-existing franchise agreements; authorizing the issuance of two additional wine licenses outside the liquor patrol limit of the city of St. Paul; amending Minnesota Statutes 1980, Section 340.13, Subdivision 3.

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

S. F. No. 1894, A bill for an act relating to energy; changing the duties of the commissioner of the department of energy, planning and development; expanding the scope of certain energy education programs; changing certain residential energy sales programs; providing for wind energy conversion systems in county and municipal zoning law; creating wind easements; amending Minnesota Statutes 1980, Sections 116H.02, by adding a subdivision; 116H.15, Subdivisions 1 and 3; 394.25, Subdivision 3; 462.357, Subdivision 1; 500.30; Minnesota Statutes 1981 Supplement, Sections 116H.07; 116H.088, Subdivision 1; 116H.095, Subdivisions 4 and 5; 116H.10, Subdivision 4; 116H.11, Subdivision 1; 116H.128; 116H.15, Subdivision 2; 116H.18; proposing new law coded in Minnesota Statutes, Chapter 325E; repealing Minnesota Statutes 1980, Sections 116H.088, Subdivision 2; 116H.12, Subdivision 8; and Minnesota Statutes 1981 Supplement, Section 120.78, Subdivision 1.

The bill was read for the first time.

Nelson, K., moved that S. F. No. 1894 and H. F. No. 1879, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1684, A bill for an act relating to commerce; providing uniformity in requiring insurance of accounts in depository financial institutions; clarifying examination reports as confidential records; clarifying permissible transactions at financial institutions by examiners; defining building and loan association; clarifying financial institution real estate investment authority; establishing an application procedure for certain bank detached facilities; providing for clearly differentiated

ing a detached facility from the parent bank principal office; establishing a uniform authority for financial institutions' limited trust powers and individual housing accounts; clarifying certain words, terms and phrases relating to supervision of banks and trust companies; eliminating the filing requirement for bank directors' oaths; clarifying exceptions to prohibition against bank or trust company sale of assets; providing for uniform quarterly reporting by banks or trust companies; providing uniform capital requirements for stock savings banks and approval procedures for amending articles or certificates of incorporation; removing inconsistencies in fees payable to secretary of state; removing the expiration date for the credit union advisory council; removing inconsistencies with earlier laws regarding certificate loan plans of industrial loan and thrift companies; providing for liquidity reserve requirements by insured industrial loan and thrift companies consistent with other depository institutions; providing for reasonable fees, annual renewals and surety bond limits for licensing safe deposit companies; clarifying default charges, deferments, conversion rights, interest after maturity and issuance of receipts on regulated loans; limiting licensing and examination of sales finance companies to those located in this state; authorizing the restatement of articles of incorporation of financial institutions; removing ceiling on interest rate paid by mortgagor during redemption period; amending Minnesota Statutes 1980, Sections 46.07, Subdivision 2; 46.09, as amended; 47.01, Subdivision 5; 47.10; 48.01, Subdivision 1; 48.16; 48.21; 48.76; 50.25; 51A.23, Subdivision 6; 52.061; 52.24; 53.04, Subdivision 5; 53.07; 55.04, Subdivision 2; 55.05; 168.66, Subdivision 8; 580.23, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 48.06; 48.48; 51A.03, Subdivision 5; 56.131, Subdivision 1; 56.14; proposing new law coded in Minnesota Statutes, Chapters 45; 47; 55; and 300; repealing Minnesota Statutes 1980, Sections 47.16, Subdivision 2; 48.159, Subdivision 1; 48.25; 50.157, Subdivision 1; 51A.21, Subdivision 16; 52.135; Minnesota Statutes 1981 Supplement, Sections 48.159, Subdivision 2; 50.157, Subdivision 2; 51A.21, Subdivision 16a; and 52.136.

The bill was read for the first time.

Johnson, D., moved that S. F. No. 1684 and H. F. No. 1916, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 518, A bill for an act relating to cable communications; changing certain definitions and procedures relating to cable communications system franchises and operations; amending Minnesota Statutes 1980, Sections 238.02, Subdivision 3; 238.03; 238.05, by adding a subdivision; 238.06, Subdivision 6; 238.09, Subdivisions 6 and 7; 238.11, Subdivision 2; and 238.12, Subdivisions 1 and 2.

The bill was read for the first time.

Osthoff moved that S. F. No. 518 and H. F. No. 541, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1541, A bill for an act relating to accident and health insurance; broadening continuation and conversion privileges of survivors and former spouses; amending Minnesota Statutes 1980, Sections 62A.145; 62A.146; 62C.142; and 62D.101; and Minnesota Statutes 1981 Supplement, Section 62A.21, Subdivisions 2a and 2b.

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

S. F. No. 1630, A bill for an act relating to the legislature; changing January payment date; amending Minnesota Statutes 1980, Section 3.099, Subdivision 1.

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

S. F. No. 1640, A bill for an act relating to Hennepin County; providing for the interest on and name of certain debt; regulating personnel provisions; clarifying self insurance authority; permitting the county board members to be paid an allowance in lieu of mileage; removing an exception to the general law; amending Minnesota Statutes 1981 Supplement, Section 375.055, Subdivision 1; Laws 1965, Chapter 855, Section 4, Subdivision 1, as amended, and Section 7, Subdivisions 3, as amended, and 4, as amended; Laws 1979, Chapter 55, Section 1; and Laws 1979, Chapter 198, Article II, Section 7, Subdivisions 1 and 2.

The bill was read for the first time.

Ellingson moved that S. F. No. 1640 and H. F. No. 1736, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1869, A bill for an act relating to local government; permitting counties to make electronic funds transfers; amending Minnesota Statutes 1980, Section 471.38, Subdivision 3.

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

S. F. No. 1957, A resolution memorializing the President and Congress of the United States in support of a mutual freeze with the Soviet Union on the testing, production, and deployment of nuclear weapons and delivery systems.

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

S. F. No. 2141, A bill for an act relating to local government; allowing towns and cities to set license fees for cigarette sellers; amending Minnesota Statutes 1980, Section 461.12.

The bill was read for the first time.

Clawson moved that S. F. No. 2141 and H. F. No. 1899, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1809, A bill for an act relating to crimes; providing for the protection of the victims of criminal sexual conduct, intrafamilial sexual abuse, or use of a minor to prepare an obscene work; amending Minnesota Statutes 1981 Supplement, Section 15.791, Subdivision 9; proposing new law coded in Minnesota Statutes, Chapter 631.

The bill was read for the first time.

Wynia moved that S. F. No. 1809 and H. F. No. 2008, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1670, A bill for an act relating to guardianship and conservatorship; providing for delegation of certain powers by parents or guardians; applying the rules of evidence to certain proceedings; providing administrative procedures for the appointment of guardians or conservators for minors; providing a procedure for discharge of guardians or conservators in certain cases; clarifying certain provisions; amending Minnesota Statutes 1980, Sections 525.6165; and 525.618, by adding subdivisions; Minnesota Statutes 1981 Supplement, Sections 525.55, Subdivisions 1 and 3; 525.551, Subdivision 3; 525.5515, Subdivision 2; and 525.6196; proposing new law coded in Minnesota Statutes, Chapters 524 and 525; repealing Minnesota Statutes 1981 Supplement, Section 525.5515, Subdivision 3.

The bill was read for the first time.

Ellingson moved that S. F. No. 1670 and H. F. No. 1896, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1715, A bill for an act relating to the city of Minneapolis; providing duties of the civil service commission; providing for positions in the unclassified service; permitting the city to change the name of the housing and redevelopment authority; permitting the transfer of certain employees to employment of the housing and redevelopment authority; establishing terms for transfer of the employees; permitting certain employees to purchase service credit from the Minneapolis employees retirement fund; amending Laws 1969, Chapter 937,

Section 1, Subdivision 1, as amended, and by adding subdivisions; and Laws 1980, Chapter 595, Section 2, Subdivision 1 and Section 3, by adding a subdivision.

The bill was read for the first time.

Long moved that S. F. No. 1715 and H. F. No. 1791, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 929, A bill for an act relating to commerce; requiring manufacturers of alcohol fueled motor vehicles to offer the same for sale within the state; proposing new law coded in Minnesota Statutes, Chapter 325E.

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

S. F. No. 1221, A bill for an act relating to the city of Brooklyn Center; authorizing the establishment of a home energy conservation program; permitting special assessment for energy improvements.

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

S. F. No. 1561, A bill for an act relating to child support and maintenance payments; authorizing release of information for location of certain parents of deserted children; providing for the collection and withholding of payments; amending Minnesota Statutes 1980, Section 256.978; Minnesota Statutes 1981 Supplement, Sections 256.872, Subdivisions 1, as amended, and 2; 518.551, Subdivisions 1 and 2; and 518.611, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 518; repealing Minnesota Statutes 1980, Sections 256.874 and 256.878; and Minnesota Statutes 1981 Supplement, Sections 256.875 and 256.877.

The bill was read for the first time.

Hokanson moved that S. F. No. 1561 and H. F. No. 1691, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1677, A bill for an act relating to municipal planning and zoning; prohibiting exclusion of manufactured homes and other types of single family dwellings; amending Minnesota Statutes 1980, Sections 394.25, Subdivision 3; and 462.357, Subdivision 1.

The bill was read for the first time.

Voss moved that S. F. No. 1677 and H. F. No. 1738, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1886, A bill for an act relating to energy; changing the definition of large energy facility; amending Minnesota Statutes 1980, Section 116H.02, Subdivision 5.

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

S. F. No. 1888, A bill for an act relating to education; requiring welfare and correctional institutions to submit an educational policy to the commissioner of education; proposing new law coded in Minnesota Statutes, Chapter 121.

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

S. F. No. 63, A bill for an act relating to retirement; specifying eligibility for early retirement health and welfare insurance coverage for certain employees of the city of St. Paul.

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

S. F. No. 1522, A bill for an act relating to local government; changing the filing of the bond of the town clerk and the town treasurer; permitting towns to self insure in the same way as other political subdivisions; authorizing certain towns to exercise special powers by affirmative vote of the town electors; requiring notice; authorizing towns to plan; providing for standards and criteria for conditional uses and variances; authorizing the establishment of a board for planning in certain areas; authorizing governmental units to provide services for other governmental units; amending Minnesota Statutes 1980, Sections 367.10; 367.15; 368.01; Subdivisions 1, 30, and by adding subdivisions; 462.352, Subdivision 2; 462.357, Subdivision 6; 462.358, Subdivision 1a; 462.36, Subdivision 1; 471.59, by adding a subdivision; and 471.98, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 462.

The bill was read for the first time.

Brinkman moved that S. F. No. 1522 and H. F. No. 1620, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1706, A bill for an act relating to insurance; authorizing separate accounts for certain pension plans; amending Minnesota Statutes 1981 Supplement, Section 61A.282, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 61A.

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

S. F. No. 1022, A bill for an act relating to water; raising the petitioners' bond in certain drainage project cases and the appellant's bond in the case of certain appeals; clarifying the responsibility imposed on certain water project contractors; amending Minnesota Statutes 1980, Sections 105.463; 106.041; and 106.631, Subdivision 2.

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

S. F. No. 1907, A bill for an act relating to real property; requiring certification by the municipality prior to transfer by the county auditor of certain unplatted properties; proposing new law coded in Minnesota Statutes, Chapter 272.

The bill was read for the first time.

Jacobs moved that S. F. No. 1907 and H. F. No. 2059, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1967, 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 by adding a subdivision; and 169.21, Subdivision 5.

The bill was read for the first time.

Ogren moved that S. F. No. 1967 and H. F. No. 2132, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2000, A bill for an act relating to the city of Brooklyn Center; authorizing the Brooklyn Center housing and redevelopment authority to carry out a housing interest buy-down program.

The bill was read for the first time.

Ellingson moved that S. F. No. 2000 and H. F. No. 1890, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2006, A bill for an act relating to gambling; providing an exception for certain nonprofit organizations to the annual limitation on prizes awarded from the conduct of raffles; amending Minnesota Statutes 1980, Sections 349.17, Subdivision 1; and 349.26, Subdivision 9, and by adding a subdivision; and



Minnesota Statutes 1981 Supplement, Section 349.26, Subdivision 15.

The bill was read for the first time.

Greenfield moved that S. F. No. 2006 and H. F. No. 2148, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2121, A bill for an act relating to Olmsted County; allowing the county recorder to extend credit for the payment of charges.

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

S. F. No. 1966, A bill for an act relating to education; authorizing Independent School District No. 742 to commence AVTI construction subject to certain conditions; permitting the state university board to replace certain buildings.

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

S. F. No. 1955, A bill for an act relating to tax forfeited land; restoring certain funds to the real estate assurance account; appropriating money; amending Minnesota Statutes 1981 Supplement, Section 284.28, Subdivision 8.

The bill was read for the first time.

Voss moved that S. F. No. 1955 and H. F. No. 1870, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2062, A bill for an act relating to courts; providing for the appointment of a court commissioner to solemnize marriages in the combined county court district of Benton and Stearns.

The bill was read for the first time.

Gruenes moved that S. F. No. 2062 and H. F. No. 2167, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2125, A bill for an act relating to real property; providing that covenants, conditions, restrictions or extensions thereof annexed to a grant, devise or conveyance of land that are or become nominal shall not operate as a basis of forfeiture; providing for the modification and extension of contracts for deed; providing dates for applicable laws relating to termination of

contracts; removing a time limitation on the duration of covenants, conditions and restrictions; amending Minnesota Statutes 1980, Sections 500.20, Subdivision 1; 559.21, Subdivision 1, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 508; repealing Minnesota Statutes 1980, Section 500.20, Subdivision 2.

The bill was read for the first time.

Jude moved that S. F. No. 2125 and H. F. No. 2245, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1487, A bill for an act relating to taxation; allowing the town of Rice Lake to levy in excess of its levy limitation for taxes payable in 1982 without penalty.

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

S. F. No. 1949, A bill for an act relating to state departments and agencies; secretary of state; eliminating and simplifying certain filings; amending Minnesota Statutes 1980, Sections 300.06; 300.14, Subdivision 2; 300.45; 301.42, Subdivision 4; 303.14, Subdivision 3, as amended; 333.001, Subdivisions 2 and 3; Minnesota Statutes 1981 Supplement, Sections 301.071, Subdivision 2; 303.05, Subdivision 1; and 322A.16; repealing Minnesota Statutes 1980, Sections 300.07; 301.06, Subdivision 3; 301.07; 301.071, Subdivision 1; and 301.33, Subdivision 3.

The bill was read for the first time.

Ellingson moved that S. F. No. 1949 and H. F. No. 2093, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 19, A bill for an act relating to eminent domain proceedings; allowing an award of costs and attorneys' fees under certain circumstances; amending Minnesota Statutes 1980, Section 117.195.

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

S. F. No. 1740, A bill for an act relating to real estate; providing an exception for certain restrictions based on familial status in cooperative housing; permitting administrators of rental housing to petition the court for certain powers; clarifying the court's discretion to make certain orders; amending Minnesota Statutes 1980, Sections 363.01, by adding a subdivision; 363.02, Subdivision 2; 566.25; and 566.29, Subdivision 4.

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

S. F. No. 1879, A bill for an act relating to state government; allowing for disclosures of information between the commissioner of revenue and the department of economic security; amending Minnesota Statutes 1980, Section 268.12, Subdivision 12; and Minnesota Statutes 1981 Supplement, Section 290.61.

The bill was read for the first time.

#### SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Stowell moved that the rule therein be suspended and an urgency be declared so that S. F. No. 1879 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Stowell moved that the rules of the House be so far suspended that S. F. No. 1879 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 1879 was read for the second time.

S. F. No. 1879, A bill for an act relating to state government; allowing for disclosures of information between the commissioner of revenue and the department of economic security; amending Minnesota Statutes 1980, Section 268.12, Subdivision 12; and Minnesota Statutes 1981 Supplement, Section 290.61.

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

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

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

S. F. No. 1987, 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.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1555:

McEachern; Anderson, B.; Tomlinson; Jennings and Levi.

#### CONSENT CALENDAR

S. F. No. 1648, A bill for an act relating to nonprofit corporations; providing an internal reference correction; providing for the conduct of meetings by telephone; amending Minnesota Statutes 1980, Sections 317.16, Subdivision 2; 317.20, Subdivision 8; and 317.22, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

McCarron

The bill was passed and its title agreed to.

S. F. No. 1364, A bill for an act relating to local government; providing for the separation of the city and town of Sturgeon Lake and the city of Rutledge and town of Kettle River.

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:

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

The bill was passed and its title agreed to.

H. F. No. 2021, A bill for an act relating to local government; creating the Morrison County rural development finance authority; authorizing the establishment of a development and redevelopment program and the authorization of powers for it.

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 117 yeas and 10 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ainley	Drew	Frerichs	Jennings	Ludeman
Den Ouden	Esau	Hokr	Kvam	Welker

The bill was passed and its title agreed to.

## CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Sieben, M., requested immediate consideration of H. F. Nos. 1919, 1834, and 2169 and S. F. No. 155.

H. F. No. 1919 was reported to the House.

Onnen, McEachern, Jude and Schoenfeld moved to amend H. F. No. 1919, the second engrossment, as follows:

Page 5, line 5, before "Within" insert "(a)"

Page 5, after line 15, insert:

*"(b) Notwithstanding any other law to the contrary, no agency shall issue any permit or license for the below ground storage of solid or hazardous waste on agricultural land unless the commissioner has determined in writing that the agency has adequately evaluated all alternatives to the proposed action and that no other reasonable alternative exists."*

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

H. F. No. 1919, A bill for an act relating to agriculture; formulating a state agricultural land preservation and conservation policy; imposing duties on state agencies regarding agency actions adversely affecting agricultural land; continuing the existence of the joint legislative committee on agricultural land preservation; allocating certain state cost-sharing funds for high priority soil erosion, sedimentation and water control problems identified by local soil and water conservation districts; imposing duties on state and local soil and water conservation boards; providing technical and administrative assistance grants to local districts; requiring coordination of state soil and water conservation programs with other public agencies; establishing a conservation tillage demonstration program; amending Minnesota Statutes 1980, Sections 15.0412, by adding a subdivision; 40.03, Subdivision 4; 40.036; 40.07, Subdivision 9; and Laws 1979, Chapter 315, Section 2, as amended; proposing new law coded in Minnesota Statutes, Chapters 17 and 40; repealing Minnesota Statutes 1980, Section 473H.13; and Laws 1979, Chapter 315, Section 1.

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

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 9 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Ainley	Lemen	Nelsen, B.	Valento	Wigley
Kvam	Ludeman	Schreiber	Welker	

The bill was passed and its title agreed to.

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

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.



H. F. No. 2169, A bill for an act relating to public welfare; designating the commissioner of public welfare as the state authority for federal mental health, alcohol and drug abuse block grants; prescribing a formula for distribution of federal funds to counties and defining duties of counties in the use of the funds; amending Minnesota Statutes 1980, Sections 245.70; 245.71; and 254A.16, by adding subdivisions; Minnesota Statutes 1981 Supplement, Section 254A.03, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 245.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 155, A bill for an act relating to public welfare; providing for retention of certain receipts by state hospitals; amending Minnesota Statutes 1980, Section 246.57.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

### SPECIAL ORDERS

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 third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 358 was reported to the House.

Clawson moved to amend S. F. No. 358, the unofficial engrossment, as follows:

Page 7, after line 10, add a new section

"Section 4. Minnesota Statutes 1980, Section 340.73, Subdivision 3, is amended to read:

Subd. 3. Whoever shall in any way procure liquor for the use of any person named in this section shall be deemed to have sold it to such person. Any person violating any of the provisions of this section is guilty of a gross misdemeanor, *except that the giving of liquor to an intoxicated person of the age of 19 or older is a misdemeanor.*

Sec. 5. Minnesota Statutes 1980, Section 340.95, is amended to read:

#### 340.95 [INJURIES CAUSED BY INTOXICATION, CIVIL ACTIONS.]

Every husband, wife, child, parent, guardian, employer, or other person who is injured in person or property, or means of support, by any intoxicated person, or by the intoxication of any person, has a right of action, in his own name, against any person who, by illegally selling (OR), bartering, or giving intoxicating liquors, caused the intoxication of such person, for all damages, sustained; and all damages recovered by a minor under this section shall be paid either to such minor or to his parent, guardian, or next friend, as the court directs; and all suits for damages under this section shall be by civil action in any court of this state having jurisdiction thereof. Actions for damages based upon liability imposed by this section shall be governed by section 604.01. The provisions of section 604.01, as applied under this section, however shall not be applicable to actions brought by a husband, wife, child, parent, guardian or other dependent of an intoxicated person. No recovery shall be had in any action or actions pursuant to this section in excess of \$250,000 for all damages to one person and \$500,000 for all damages to two or more persons arising out of a single instance of the illegal sale or barter of intoxicating liquor."

Renumber subsequent sections

Page 9, line 18, delete "*January 1*" and insert "*April 1*"

The Speaker called Wynia to the Chair.

McCarron moved to lay the Clawson amendment on the table.

A roll call was requested and properly seconded.

The question was taken on the McCarron motion and the roll was called. There were 96 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Ainley	Frerichs	Kelly	Olsen	Stadum
Anderson, G.	Greenfield	Kostohryz	Osthoff	Stowell
Anderson, I.	Gruenes	Kvam	Otis	Stumpf
Battaglia	Gustafson	Ludeman	Peterson, B.	Sviggun
Begich	Halberg	Luknic	Peterson, D.	Swanson
Blatz	Hanson	Mann	Piepho	Tomlinson
Brandl	Harens	Marsh	Pogemiller	Valan
Brinkman	Hauge	McCarron	Redalen	Valento
Byrne	Haukoos	McDonald	Reding	Vanasek
Carlson, D.	Heap	McEachern	Rees	Vellenga
Carlson, L.	Heinitz	Mehrrens	Relf	Weaver
Clark, J.	Himle	Minne	Rodriguez, F.	Welker
Dahlvang	Hoberg	Munger	Rose	Wenzel
Dempsey	Hokanson	Murphy	Samuelson	Wieser
Drew	Hokr	Nelsen, B.	Sarna	Wigley
Eken	Jacobs	Nelson, K.	Schreiber	Zubay
Elioff	Jennings	Niehaus	Searles	
Esau	Johnson, C.	Nysether	Shea	
Evans	Kahn	O'Connor	Sherman	
Ewald	Kaley	Ogren	Simoneau	

Those who voted in the negative were:

Anderson, B.	Erickson	Laidig	Rice	Welch
Clark, K.	Fjoslien	Lehto	Rodriguez, C.	Wynia
Clawson	Johnson, D.	Lemen	Schoenfeld	
Den Ouden	Jude	Long	Sieben, M.	
Ellingson	Kalis	Onnen	Skoglund	

The motion prevailed and the Clawson amendment was laid on the table.

The Speaker resumed the chair.

Piepho, McCarron and Schreiber moved to amend S. F. No. 358, the unofficial engrossment, as follows:

Page 7, line 23, delete the new language

Page 8, lines 2 to 6, reinstate the stricken language

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 82 yeas and 44 nays as follows:

Those who voted in the affirmative were:

Ainley	Forsythe	Kostohryz	Olsen	Stadum
Anderson, B.	Frerichs	Kvam	Onnen	Stowell
Anderson, G.	Gruenes	Laidig	Osthoff	Stumpf
Anderson, I.	Gustafson	Lemen	Peterson, B.	Svigum
Battaglia	Hanson	Ludeman	Piepho	Valento
Begich	Haukoos	Luknic	Redalen	Vanasek
Berkelman	Heap	Mann	Reding	Voss
Blatz	Heinitz	Marsh	Rees	Weaver
Brinkman	Himle	McCarron	Reif	Welch
Carlson, D.	Hoberg	McDonald	Rodriguez, F.	Welker
Dahlvang	Hokr	McEachern	Samuelson	Wenzel
Dean	Jacobs	Mehrkens	Sarna	Wieser
Drew	Jennings	Metzen	Schreiber	Wigley
Eken	Johnson, C.	Munger	Searles	Zubay
Elioff	Johnson, D.	Nelsen, B.	Shea	
Erickson	Kaley	Niehaus	Sherman	
Evans	Knickerbocker	O'Connor	Simoneau	

Those who voted in the negative were:

Aasness	Ellingson	Kahn	Ogren	Sieben, M.
Brandl	Esau	Kalis	Otis	Skoglund
Byrne	Fjoslien	Kelly	Peterson, D.	Staten
Carlson, L.	Greenfield	Lehto	Rice	Swanson
Clark, J.	Halberg	Minne	Rodriguez, C.	Tomlinson
Clark, K.	Harens	Nelson, K.	Rose	Vellenga
Clawson	Hauge	Norton	Rothenberg	Wynia
Dempsey	Hokanson	Novak	Schoenfeld	Spkr. Sieben, H.
Den Ouden	Jude	Nysether	Sherwood	

The motion prevailed and the amendment was adopted.

McDonald offered an amendment to S. F. No. 358.

#### POINT OF ORDER

Kahn raised a point of order pursuant to rule 3.9 that the amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

McDonald appealed the decision of the Chair.

A roll call was requested and properly seconded.

Anderson, I., moved to lay the appeal of the decision of the Chair on the table.

A roll call was requested and properly seconded.

The question was taken on the Anderson, I., motion and the roll was called. There were 105 yeas and 25 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Evans	Jude	Norton	Shea
Anderson, G.	Ewald	Kahn	Novak	Sherman
Anderson, I.	Fjoslien	Kaley	O'Connor	Sieben, M.
Battaglia	Forsythe	Kalis	Ogren	Simoneau
Begich	Frerichs	Kelly	Olsen	Skoglund
Berkelman	Greenfield	Kostohryz	Osthoff	Staten
Blatz	Gruenes	Kvam	Otis	Stowell
Brandl	Gustafson	Lehto	Peterson, D.	Stumpf
Brinkman	Halberg	Long	Piepho	Swanson
Byrne	Hanson	Ludeman	Pogemiller	Tomlinson
Carlson, D.	Harens	Luknie	Reding	Valan
Carlson, L.	Hauge	Mann	Rees	Vanasek
Clark, J.	Heap	Marsh	Reif	Vellenga
Clark, K.	Heinitz	McCarron	Rice	Voss
Clawson	Himle	McEachern	Rodriguez, C.	Weaver
Dahlvang	Hoberg	Metzen	Rodriguez, F.	Welch
Dempsey	Hokanson	Minne	Rose	Wenzel
Drew	Hokr	Munger	Samuelson	Wigley
Eken	Jacobs	Murphy	Sarna	Wynia
Elioff	Johnson, C.	Nelson, K.	Schoenfeld	Zubay
Ellingson	Johnson, D.	Niehaus	Schreiber	Spkr. Sieben, H.

Those who voted in the negative were:

Aasness	Esau	Lemen	Peterson, B.	Stadum
Ainley	Haukoos	McDonald	Redalen	Sviggum
Dean	Jennings	Mehrkens	Rothenberg	Valento
Den Ouden	Knickerbocker	Nelsen, B.	Searles	Welker
Erickson	Laidig	Nysether	Sherwood	Wieser

The motion prevailed and the appeal of the decision of the Chair was laid on the table.

S. F. No. 358, A bill for an act relating to intoxicating liquor; requiring proof of financial responsibility; amending Minnesota Statutes 1980, Sections 340.11, by adding a subdivision; 340.12; and 340.353, 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 115 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Aasness	Brandl	Dean	Ewald	Harens
Anderson, B.	Byrne	Dempsey	Fjoslien	Hauge
Anderson, G.	Carlson, D.	Den Ouden	Forsythe	Heap
Anderson, I.	Carlson, L.	Drew	Frerichs	Heinitz
Battaglia	Clark, J.	Elioff	Greenfield	Himle
Begich	Clark, K.	Ellingson	Gruenes	Hokanson
Berkelman	Clawson	Erickson	Gustafson	Hokr
Blatz	Dahlvang	Esau	Hanson	Jacobs

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

Those who voted in the negative were:

Brinkman	Evans	Johnson, C.	Metzen	Nelsen, B.
Eken	Haukoos	Laidig		

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

Schoenfeld was excused between the hours of 4:50 and 5:30 p.m.

H. F. No. 950 was reported to the House.

Byrne moved to amend H. F. No. 950, the first engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 145.41, is amended to read:

#### 145.41 [BLOOD DONATIONS, AGE OF DONOR.]

(ANY PERSON OF THE AGE OF 17 YEARS OR OVER SHALL BE ELIGIBLE TO DONATE BLOOD IN ANY VOLUNTARY AND NONCOMPENSATORY BLOOD PROGRAM WITHOUT THE NECESSITY OF OBTAINING PARENTAL PERMISSION OR AUTHORIZATION.) *A minor aged 15 or 16 years with parental consent or aged 17 years without parental consent may donate blood in any voluntary and noncompensatory blood program. The minor's consent is not subject to disaffirmance on grounds of minority.*

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

*Subd. 19. [DESIGNATED COUNTY AGENCY.] "Designated county agency" means the agency designated by the county board pursuant to section 256E.08, subdivision 3 to provide social services.*

Sec. 3. Minnesota Statutes 1981 Supplement, Section 260.111, Subdivision 2, is amended to read:

Subd. 2. [JURISDICTION OVER OTHER MATTERS RELATING TO CHILDREN.] Except as provided in clause (d), the juvenile court has original and exclusive jurisdiction in proceedings concerning:

(a) The termination of parental rights to a child in accordance with the provisions of sections 260.221 to 260.245.

(b) The appointment and removal of a juvenile court guardian of the person for a child, where parental rights have been terminated under the provisions of sections 260.221 to 260.245.

(c) Judicial consent to the marriage of a child when required by law.

(d) Adoptions. The juvenile court in those counties in which the judge of the probate-juvenile court has been admitted to the practice of law in this state shall proceed under the laws relating to adoptions in all adoption matters. In those counties in which the judge of the probate-juvenile court has not been admitted to the practice of law in this state the district court shall proceed under the laws relating to adoptions in all adoption matters.

(e) The review of the foster care status of a child who has been placed in a residential facility, as defined in section 257.071, subdivision 1, pursuant to a voluntary release by his parent or parents.

(f) *Petitions for emancipation and for the rescission of emancipation.*

Sec. 4. Minnesota Statutes 1980, Section 260.131, Subdivision 2, is amended to read:

Subd. 2. [PETITION.] The petition shall be verified by the person having knowledge of the facts and may be on information and belief. Unless otherwise provided by rule or order of the court, *and except in the case of petitions for emancipation or rescission of emancipation*, the county attorney shall draft the petition upon the showing of reasonable grounds to support the petition.

Sec. 5. Minnesota Statutes 1980, Section 260.135, Subdivision 3, is amended to read:

Subd. 3. [NOTICE TO AGENCY.] If a petition alleging neglect, or dependency, or a petition to terminate parental rights is initiated by a person other than a representative of the de-



partment of public welfare or the designated county (WELFARE BOARD) agency, or if a petition for emancipation or rescission of emancipation is filed, the clerk of the court shall notify the designated county (WELFARE BOARD) agency of the pendency of the case and of the time and place appointed.

*The designated county agency may investigate the feasibility of emancipation of a minor when a valid petition for emancipation has been filed, and may recommend to the court that emancipation be granted or denied. If the designated county agency makes a recommendation, its reasons shall be included in the record.*

Sec. 6. Minnesota Statutes 1980, Section 260.141, Subdivision 1, is amended to read:

Subdivision 1. [SERVICE OF SUMMONS, NOTICE.] (a) Service of summons or notice required by section 260.135 shall be made upon the following persons in the same manner in which personal service of summons in civil actions is made:

(1) in all delinquency matters, upon the person having custody or control of the child and upon the child; and

(2) in all other matters, upon the person having custody or control of the child, and upon the child if he is more than 12 years of age. *In a proceeding for emancipation or rescission of emancipation involving a minor who is an Indian under the Indian Child Welfare Act of 1978, service also shall be made upon the minor's tribe, which shall be a party to the proceeding. In a proceeding for emancipation or rescission of emancipation involving a minor who is under the supervision of a probation officer or social worker, service shall be made on the probation officer or social worker, and the department or agency employing the probation officer or social worker shall be a party. In all proceedings for emancipation or rescission of emancipation service shall be made on the minor's parents, both custodial and non-custodial, or guardian unless service is waived in the petition.*

Personal service shall be effected at least 24 hours before the time of the hearing; however, it shall be sufficient to confer jurisdiction if service is made at any time before the day fixed in the summons or notice for the hearing, except that the court, if so requested, shall not proceed with the hearing earlier than the second day after the service. If personal service cannot well be made within the state, a copy of the summons or notice may be served on the person to whom it is directed by delivering a copy (THEREOF) to (SUCH) the person personally outside the state. (SUCH) Personal service (IF MADE PERSONALLY) outside the state (SHALL BE) is sufficient to confer jurisdiction (; PROVIDING HOWEVER) if it (BE) is made at least five days

before the date fixed for hearing in (SUCH) *the* summons or notice.

(b) If the court is satisfied that personal service of the summons or notice cannot (WELL) be made, it shall (MAKE AN) order (PROVIDING FOR THE) service of summons or notice by certified mail addressed to the last known addresses of (SUCH) *the* persons, and by (ONE WEEKS) *seven days* published notice as provided in section 645.11. A copy of the notice shall be sent by certified mail at least five days before the time of the hearing or 14 days if mailed to addresses outside the state.

(c) Notification to the *designated* county (WELFARE BOARD) *agency* required by section 260.135, subdivision 3, shall be in (SUCH) *the* manner as the court (MAY DIRECT) *directs*. *The designated county agency shall be a party to any emancipation proceeding.*

Sec. 7. Minnesota Statutes 1980, Section 260.155, Subdivision 2, is amended to read:

Subd. 2. [APPOINTMENT OF COUNSEL.] The minor, parent, guardian or custodian have the right to effective assistance of counsel. *Except in emancipation cases, if* (IF) they desire counsel but are unable to employ it, the court shall appoint counsel to represent the minor or his parents or guardian in any other case in which it feels that (SUCH) an appointment is desirable.

Sec. 8. Minnesota Statutes 1980, Section 260.185, Subdivision 1, is amended to read:

Subdivision 1. [DISPOSITION.] If the court finds that the child is delinquent, it shall enter an order making any of the following dispositions of the case which are deemed necessary to the rehabilitation of the child:

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

(b) Place the child under the supervision of a probation officer or other suitable person in his own home under conditions prescribed by the court including reasonable rules for his conduct and the conduct of his parents, guardian, or custodian, designed for the physical, mental, and moral well-being and behavior of the child, or with the consent of the commissioner of corrections, in a group foster care facility which is under the management and supervision of (SAID) *the* commissioner;

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

- (1) A child placing agency; (OR)
- (2) The *designated* county (WELFARE BOARD) *agency*; (OR)
- (3) A reputable individual of good moral character. No person may receive custody of two or more unrelated children unless he is licensed as a residential facility pursuant to sections 245.781 to 245.813; (OR)
- (4) Except for children found to be delinquent as defined in section 260.015, subdivision 5, clauses (c) and (d), a county home school, if the county maintains a home school or enters into an agreement with a county home school; or
- (5) A county probation officer for placement in a group foster home established under the direction of the juvenile court and licensed pursuant to section 241.021;
- (d) Except for children found to be delinquent as defined in section 260.015, subdivision 5, clauses (c) and (d), transfer legal custody by commitment to the commissioner of corrections;
- (e) If the child is found to have violated a state (OR LOCAL) law or *local* ordinance which has resulted in damage to the property of another, the court may order the child to make reasonable restitution for (SUCH) *the* damage;
- (f) Require the child to pay a fine of up to \$500; the court shall order payment of the fine in accordance with a time payment schedule which (SHALL) *does* not impose an undue financial hardship on the child;
- (g) If the child is in need of special treatment and care for his physical or mental health, the court may order the child's parent, guardian, or custodian to provide it. If the parent, guardian, or custodian fails to provide this treatment or care, the court may order it provided;
- (h) If the court believes that it is in the best interests of the child and of public safety that the driver's license of the child be cancelled until his 18th birthday, the court may recommend to the commissioner of public safety the cancellation of the child's license for any period up to the child's 18th birthday (. AND). The commissioner is (HEREBY) authorized to cancel (SUCH) *the* license without a hearing. At any time before the termination of the period of cancellation, the court may, for good cause, recommend to the commissioner of public safety that the child be authorized to apply for a new license, and the commissioner may *do* so (AUTHORIZE);
- (i) *Issue the minor a declaration of emancipation pursuant to sections 11 to 14 if a petition for emanipation has been filed*

*and all necessary parties have been properly served with the summons and petition for emancipation.*

Any order for a disposition authorized under this section shall contain written findings of fact to support the disposition ordered (, AND). *It shall also set forth in writing the following information:*

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

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

This subdivision applies to dispositions of juveniles found to be delinquent as defined in section 260.015, subdivision 5, clause (c) or (d) (MADE PRIOR TO, ON, OR AFTER JANUARY 1, 1978).

Sec. 9. Minnesota Statutes 1980, Section 260.191, Subdivision 1, is amended to read:

Subdivision 1. [ORDER.] If the court finds that the child is neglected, dependent, or neglected and in foster care, it shall enter an order making any of the following dispositions of the case:

(a) Place the child under the protective supervision of the *designated* county (WELFARE BOARD OR CHILD PLACING) agency in his own home under conditions prescribed by the court directed to the correction of the neglect or dependency of the child;

(b) Transfer legal custody to one of the following:

(1) A child placing agency; or

(2) The *designated* county (WELFARE BOARD) *agency*;

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

(d) *Issue the minor a declaration of emancipation pursuant to sections 11 to 14 if a petition for emancipation has been filed and all necessary parties have been properly served with the summons and petition for emancipation.*

Any order for a disposition authorized under this section shall contain written findings of fact to support the disposition ordered (, AND). *It shall also set forth in writing the following information:*

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

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

Sec. 10. Minnesota Statutes 1980, Section 260.191, Subdivision 2, is amended to read:

Subd. 2. [DURATION.] All orders under this section shall be for a specified length of time set by the court not to exceed one year, *except that a declaration of emancipation shall be final unless rescinded pursuant to section 14.* However, before the order has expired and upon its own motion or that of any interested party, the court has continuing jurisdiction to renew the order or, after notice to the parties and a hearing, make some other disposition of the case, until the individual is no longer a minor. Any person to whom legal custody is transferred shall report to the court in writing at (SUCH) periods as the court (MAY DIRECT) *directs.*

Sec. 11. [260.47] [EMANCIPATED MINOR DEFINED.]

*An individual under the age of 18 years is an emancipated minor if the individual:*

(a) *Has entered into a valid marriage, whether or not the marriage is terminated by dissolution before the individual reaches the age of 18;*

(b) *Is or has been on active duty with any branch of the armed forces of the United States; or*

(c) *Has received a declaration of emancipation pursuant to section 13.*

Sec. 12. [260.471] [EFFECT OF EMANCIPATION.]

*An emancipated minor pursuant to section 13 shall be treated as an adult for the purposes specified in this section. He shall have the same capacity as an adult to:*

(a) *Consent to or withhold consent from medical, dental, mental, or other health services;*

(b) *Enter a binding contract;*

- (c) *Buy or sell real or personal property;*
- (d) *Sue or be sued in his own name;*
- (e) *Establish a residence; and*
- (f) *Participate in evaluation, testing, enrollment or certification for any educational program.*

*To the same extent as an adult, he shall be free from parental control of his person and earnings. He shall have no right to receive parental support.*

*He shall not be subject to the jurisdiction of the juvenile court, except for proceedings to rescind his emancipation, and shall be liable for crimes and offenses as though he were an adult. His driver's license may be suspended or revoked for traffic offenses or for other reasons as though he were an adult.*

*The parents of an emancipated minor shall have no liability for his torts committed or contracts entered into during the period of emancipation.*

**Sec. 13. [260.472] [DECLARATION OF EMANCIPATION.]**

*Subdivision 1. [PETITION.] A minor who is 16 or more years of age may petition the juvenile court in the county where he resides for a declaration of emancipation, unless custody of the child has been transferred to the commissioner of corrections or to the county home school and the court order transferring custody is still in effect. The petition shall state in addition to the requirements of section 260.131, subdivision 3:*

- (a) *The minor's age;*
- (b) *That the minor has an acceptable plan for independent living apart from his parents or guardian;*
- (c) *The source of the minor's income;*
- (d) *That the minor is managing his own financial affairs and that the parents or guardian are not supporting the minor;*
- (e) *That the parents or guardian consent to emancipation, or that the parents are incompetent, or there is no parent or guardian, or that the parents have failed to appear in the proceedings after proper service or waiver of service, or that the child is neglected as defined in section 260.015, subdivision 10;*
- (f) *That the minor understands the consequences of being free from parental control and protection.*

*Subd. 2. [GROUNDS FOR DECLARATION.] The court shall grant a petition for full or partial emancipation if it finds that*

*(a) The provisions of subdivision 1, clauses (b), (d), and (e) are met;*

*(b) The minor's income is not derived from any activity prohibited by state or federal law; and*

*(c) The minor is sufficiently mature to assume responsibility for his own care and that it is in the minor's best interest to do so; and*

*(d) That the minor is managing his own financial affairs or that the parents or guardian are not supporting the minor; and*

*(e) That, if the case involves intrafamily conflict, reasonable counseling efforts have been made.*

*Before granting a petition for emancipation, the court shall determine that the minor has a plan for room, board, health care, and education, vocational training, or employment. The plan shall identify community resources and agencies necessary to assist in the minor's plan and shall demonstrate that the resources and agencies have agreed to provide support.*

*If the court grants the petition, it shall issue the minor a declaration of emancipation. A copy of the declaration shall be filed with the clerk of court. Orders granting emancipation are public records and are not subject to the confidentiality requirements of sections 260.161, subdivision 1, and 260.211, subdivision 1. No declaration of emancipation shall be effective until at least 14 days after the hearing on the petition.*

*Subd. 3. [PARTIAL EMANCIPATION.] The court may grant in part and deny in part a petition for emancipation if it finds that it is in the minor's best interests to withhold one or more of the legal rights or responsibilities enumerated in section 12 from the minor. The court shall state in its declaration of emancipation the rights or responsibilities enumerated in section 12 which it is granting to the minor and which rights and responsibilities the court is withholding from the minor. The court shall issue findings of fact and conclusions of law showing its reasons for denying full emancipation to the minor.*

#### **Sec. 14. [260.473] [RESCISSION OF DECLARATION.]**

*Subdivision 1. [PROCEDURE.] A minor or the parents or most recent previous guardian of a minor emancipated pursuant to section 13 may petition the court to rescind the declaration*

*if the minor is in circumstances which may not be remedied by revision of the minor's plan. Service shall be made in the manner and on the parties provided by section 6. If the minor files the petition, service also shall be made on the parents or most recent previous guardian, who shall be parties. If the court sustains the petition it shall issue an order rescinding the declaration. A copy of the rescission order shall be filed with the clerk of court. Rescission orders are public records and are not subject to the confidentiality requirements of section 260.161, subdivision 1.*

*Subd. 2. [CONTRACTS, TORTS; EFFECT OF RESCIS-  
SION.] A minor whose emancipation has been rescinded re-  
mains liable for contracts made, torts committed, or other lia-  
bilities incurred during his emancipation as though the emanci-  
pation had not been rescinded. Rescission of emancipation does  
not render a parent or guardian liable for conduct or contracts  
of the minor during the period of emancipation.*

Sec. 15. Minnesota Statutes 1981 Supplement, Section 525-6192, is amended to read:

**525.6192 [TERMINATION OF APPOINTMENT OF  
GUARDIAN; GENERAL.]**

A guardian's authority and responsibility terminates upon the death, resignation or removal of the guardian or upon the minor's death, adoption, marriage (OR), attainment of majority or emancipation pursuant to sections 11 to 14, but termination does not affect his liability for prior acts, nor his obligation to account for funds and assets of his ward. A guardian may be discharged without notice or hearing on petition and acceptance of the guardian's accounts by the ward after the ward marries or attains majority, or, in the case of the ward's death, by the personal representative of the ward's estate. In other cases the court may discharge the guardian upon approval of his accounts after notice and a hearing. Resignation of a guardian does not terminate the guardianship until it has been approved by the court. A testamentary appointment under an informally probated will terminates if the will is later denied probate in a formal proceeding."

Delete the title and insert:

"A bill for an act relating to minors; permitting blood dona-  
tion by minors; providing circumstances under which minors are  
emancipated; providing procedures for a declaration of emanci-  
pation; amending Minnesota Statutes 1980, Sections 145.41;  
260.015, by adding a subdivision; 260.131, Subdivision 2; 260-  
135, Subdivision 3; 260.141, Subdivision 1; 260.155, Subdivision  
2; 260.185, Subdivision 1; 260.191, Subdivisions 1 and 2; Minne-



sota Statutes 1981 Supplement, Sections 260.111, Subdivision 2; and 525.6192; and proposing new law coded in Minnesota Statutes, Chapter 260."

The motion prevailed and the amendment was adopted.

Hokanson moved to amend H. F. No. 950, the first engrossment, as amended, as follows:

Page 11, after line 14, insert:

"Sec. 15. [260.474] [DATA COLLECTION; FOLLOW-UP.]

*The designated county agency in each county shall collect data on the number of petitions for emancipation filed within the county, the number of those petitions which were granted, the number denied, the number of petitions filed for rescission of emancipation, and the number of emancipations which were rescinded. This information shall be reported to the commissioner of public welfare by August 1, 1983. The designated county agency in each county shall evaluate the operation of sections 1 to 14 to determine what problems, if any, exist in the operation of these sections, and what benefits have resulted to the persons emancipated and to the public. This evaluation shall be reported to the commissioner of public welfare by January 1, 1984.*

*The commissioner of public welfare shall report the results of the data collection and evaluations to the house and senate committees on the judiciary by March 1, 1984."*

ReNUMBER succeeding section accordingly.

Amend the title amendment as follows:

Page 12, line 3, after the semicolon insert "requiring reports and evaluations;"

The motion prevailed and the amendment was adopted.

Hokanson moved to amend H. F. No. 950, the first engrossment, as amended, as follows:

Page 11, in the Byrne amendment, after line 33, insert:

"Sec. 17. [260.475] [REPEALER.]

*Sections 1 to 16 are repealed effective August 1, 1984."*

The motion prevailed and the amendment was adopted.

McDonald moved to re-refer H. F. No. 950, as amended, to the Committee on Health and Welfare.

A roll call was requested and properly seconded.

The question was taken on the McDonald motion and the roll was called. There were 76 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Aasness	Forsythe	Kalis	Onnen	Sieben, M.
Ainley	Frerichs	Knickerbocker	Osthoff	Stadum
Anderson, B.	Gruenes	Kostohryz	Peterson, B.	Stumpf
Battaglia	Halberg	Kvam	Piepho	Sviggum
Begich	Hanson	Lemen	Pogemiller	Swanson
Blatz	Harens	Luknic	Redalen	Valan
Brinkman	Haukoos	Marsh	Rees	Valento
Carlson, D.	Heap	McDonald	Reif	Voss
Carlson, L.	Himle	McEachern	Rice	Weaver
Dahlvang	Hoberg	Mehrkens	Rodriguez, F.	Welker
Den Ouden	Hokanson	Minne	Rose	Wenzel
Drew	Hokr	Nelsen, B.	Rothenberg	Wigley
Elihoff	Jacobs	Niehaus	Schreiber	
Erickson	Jennings	Nysether	Searles	
Esau	Johnson, C.	O'Connor	Sherman	
Fjoslien	Johnson, D.	Olsen	Sherwood	

Those who voted in the negative were:

Anderson, G.	Ewald	Long	Otis	Vanasek
Berkelman	Greenfield	Ludeman	Peterson, D.	Vellenga
Brandl	Gustafson	Mann	Reding	Welch
Byrne	Hauge	Metzen	Rodriguez, C.	Wieser
Clark, J.	Heinitz	Munger	Shea	Wynia
Clark, K.	Jude	Murphy	Simoneau	Spkr. Sieben, H.
Clawson	Kahn	Nelson, K.	Skoglund	
Dean	Kelly	Norton	Staten	
Dempsey	Laidig	Novak	Stowell	
Eken	Lehto	Ogren	Tomlinson	

The motion prevailed and H. F. No. 950, as amended, was re-referred to the Committee on Health and Welfare.

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

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 352, A bill for an act relating to crimes; affirming the right of victims to bring actions against offenders; establishing the right of a victim to request restitution; providing for implementation of victim and witness rights by law; providing penal sanctions and judicial mechanisms to deter intimidation.

tion of witnesses; requiring criminal justice agencies to inform victims of financial assistance and social services; providing for minimal victim participation in the criminal process; providing penalties; amending Minnesota Statutes 1980, Sections 241.26, Subdivisions 5 and 6; 243.23, Subdivision 3; 571.55, by adding a subdivision; 609.115; 609.498; and 631.425, Subdivision 5; proposing new law coded as Minnesota Statutes, Chapter 611A.

Reported the same back with the following amendments:

Page 2, line 21, after "second" delete "or" and insert a comma and after "third" insert ", or fourth"

Page 4, line 23, delete "1982" and insert "1983"

Pages 7 to 12, delete sections 6 and 7 and insert:

"Sec. 6. [611A.041] [RIGHT TO NOTICE.]

*Crime victim crisis centers, programs for battered women, and programs for victims of sexual attack have the right to have available to them the following information:*

*(a) In misdemeanor cases a list prepared by the office of the city or county attorney of persons scheduled for sentencing for crimes against the person, containing the date and time scheduled for each sentencing hearing. This list shall be made available on a weekly basis to the victims services programs in the city at least five days before the earliest scheduled sentencing date on the list. The office of the city or county attorney shall not be required to revise the list if scheduled hearing dates or times are changed, but the victims services programs may obtain information on schedule changes by telephoning the office of the city attorney;*

*(b) In gross misdemeanor and felony cases, a list of persons scheduled for sentencing containing the date and time scheduled for each sentencing hearing shall be made available to the victims services programs by the clerk of the district court on a weekly basis at least five days before the earliest scheduled sentencing date on the list. The clerk of the district court shall not be required to revise the list if scheduled hearing times are changed, but the victims services programs may obtain information on schedule changes by telephoning the clerk of the district court.*

*No cause of action of whatever kind arising out of a failure to give or receive the information required by this section shall accrue to any person against the state or any of its agencies or local political subdivisions, any city attorney, any district court, any program for battered women, program for victims of*

*sexual attack, or crime victim crisis center, or any employee, servant, or agent of any of these entities.*

**Sec. 7. [611A.042] [VICTIM'S RIGHT TO EXPRESS WRITTEN OPINION.]**

*Subdivision 1. [VICTIM'S RIGHT TO APPEAR.] The victim of a crime committed by an adult, or by a juvenile prosecuted as an adult pursuant to a reference for prosecution, has the right to personally appear at the offender's sentencing hearing.*

*Subd. 2. [VICTIM'S RIGHT TO RECOMMEND SENTENCE.] A victim may send a written recommendation to the court stating what sentence or other disposition the victim would recommend in a juvenile court or other court case. To be considered by the court, the recommendation must be received by the appropriate court at least three days prior to sentencing for disposition, excluding Saturdays, Sundays, and legal holidays. The clerk of court shall provide the prosecutor and the offender a copy of the victim's recommendation at least 24 hours before the sentencing or juvenile disposition hearing.*

*Subd. 3. [COURT'S DUTIES.] The court shall consider the victim's objections and recommendations except for any false or unproven allegations or recommendations for dispositions or sentences which are not authorized by law.*

**Sec. 8. [611A.043] [VICTIM'S RIGHT TO REQUEST RESTITUTION.]**

*Subdivision 1. [REQUEST PROCEDURES.] A victim of a crime against the person or a major property crime has the right to request that monetary restitution to him or her be considered as part of the disposition of a criminal charge or juvenile delinquency proceeding against the offender. The request for restitution shall be made by the victim in writing in affidavit form, stating the injury or harm he or she has suffered, the market value of any property the victim has lost as a result of the crime which has not been recovered, the estimated dollar amount of any property damage or loss of use of property as a result of the crime, the total dollar amount of restitution claimed and the reasons justifying this amount. In order to be considered by the court, the request must be received by the clerk of the appropriate court, at least three days, excluding Saturdays, Sundays, and legal holidays, before the sentencing or dispositional hearing. The clerk of court shall provide copies of this request to the prosecutor and the offender at least 24 hours before the sentencing or dispositional hearing.*

*Subd. 2. [COURT DECISION.] The court shall order or deny restitution at the hearing at which disposition concerning*

*a crime against the person or major property crime is made, and the court shall state on the record its reasons for its decision on restitution.*

*Subd. 3. [RESTITUTION PROCEDURES.] If the court orders restitution, the court shall state in the order the specific amount of restitution to be paid and that the offender make restitution payments to the clerk of court of the county wherein the restitution is to be paid. The court shall retain jurisdiction to modify the restitution order as to the amount of time allowed for payment during the probationary period. Provided, however, that the court may not during the probationary period, increase the amount of restitution or accelerate the restitution payment schedule from the original order.*

*Subd. 4. [EFFECT OF ORDER FOR RESTITUTION.] A decision for or against monetary restitution in any criminal or juvenile proceeding shall not be a bar to any civil action by the victim or by the state pursuant to section 299B.10 against the offender; provided, however, that the offender shall be given credit, in any order for judgment in favor of a victim in a civil action, for any restitution paid to the victim for the same injuries for which the judgment is awarded.*

*Subd. 5. [RULES.] To facilitate collection of judgments in favor of any victim from incarcerated persons, authority is granted to the commissioner of corrections in sections 241.26 and 243.23 to make rules concerning collection of these judgments from income earned by inmates during imprisonment, and section 631.425 authorizes a person or agency designated by the court to collect restitution payments from the earnings of employed persons committed to jail.*

*Subd. 6. [CONCLUSIVE PROOF OF JUDGMENTS.] When a court or jury in a civil action returns a verdict against a convicted offender, the victim may request the court to make a specific finding whether the behavioral incident upon which the civil verdict is based is the same incident for which the offender was convicted. If the court finds that the behavioral incident upon which the civil and criminal case were based are the same, the court shall so state in its written order for judgment. A certified copy of the order for judgment containing this finding shall, unless the judgment is vacated, constitute conclusive proof that the judgment is an award in favor of a victim of the offender's crime for purposes of sections 9, 11, and 13.*

*Subd. 7. [INSURANCE CLAIMS.] No policy of insurance shall delay or deny benefits to its insured merely because the harm for which an insurance claim is made was caused by a criminal offense which was committed against the insured by another person. However, an insurer which has paid benefits to its insured for injury or loss resulting from a crime may be subrogated to the insured's rights to recover damages or restitu-*

*tion from the criminal offender, to the extent of the benefits paid by the insurer.*

*Subd. 8. [REPARATIONS BOARD.] If a crime victim has applied for reparations pursuant to sections 299B.01 to 299B.09, the crime victims reparations board shall not delay or diminish payment of reparations to the victim on the ground that restitution has been or may be ordered but has not yet been paid."*

Renumber the sections.

Page 16, line 1, delete "Sections 1 to 12" and insert "Sections 1 to 14" and delete "1981" and insert "1982"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 376, A bill for an act proposing an amendment to the Minnesota Constitution, Article X, adding a section; authorizing and taxing parimutuel wagering on races if authorized by law.

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

The report was adopted.

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

H. F. No. 1757, A bill for an act relating to the University of Minnesota hospitals; limiting the amount of certain bonds previously authorized; amending Laws 1981, Chapter 275, Section 1, Subdivision 1.

Reported the same back with the following amendments:

Page 2, after line 8, insert:

"Sec. 2. Laws 1981, Chapter 275, Section 1, Subdivision 1, is amended by adding a subdivision to read:

*Subd. 1a. [PURPOSES QUALIFIED.] Notwithstanding the provisions of Minnesota Statutes 1980, Chapter 145.833, Subdivision 5, Clause (a) (2) a decrease in the number of beds in the university hospitals renewal project shall not require the university to seek a new or revised certificate of need.*

Sec. 3. Laws 1981, Chapter 275, Section 1, Subdivision 9, is amended to read:

Subd. 9. [LIMITATION ON USE OF BOND PROCEEDS.] The proceeds from the sale of bonds authorized by subdivision 1 may not be loaned to the board of regents if the proceeds will be used to pay for:

(1) the construction of a new hospital building with a capacity in excess of (520) *425 beds and nine floors*; or,

(2) the remodeling of the existing hospital to result in newly constructed hospital facilities and newly remodeled facilities in excess of (520) *425 beds and nine floors*.

Notwithstanding this limitation, the proceeds may be used for the purposes stated in this subdivision if the board of regents requests that the legislature permit the use and describes, in detail, the justification, and the legislature, by concurrent resolution, permits the use."

Renumber the section

Amend the title as follows:

Page 1, line 5, delete "Subdivision 1" and insert "Subdivisions 1 and 9, and by adding a subdivision"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1798, A bill for an act relating to energy; specifying the role of the department of energy, planning and development before the public utilities commission; clarifying certain public utilities commission responsibilities; amending Minnesota Statutes 1980, Section 116H.02, Subdivision 5; Minnesota Statutes 1981 Supplement, Sections 116H.11, by adding a subdivision; and 216B.241, Subdivision 2.

Reported the same back with the following amendments:

Page 3, after line 33, insert:

"Sec. 5. Minnesota Statutes 1980, Section 218.021, Subdivision 1, is amended as follows:

Subdivision 1. It shall be unlawful for any common carrier:

(1) To charge, demand, collect or receive for any service a greater or a lesser sum than that fixed in its published schedules.

**((2) TO CHANGE OR DISCONTINUE ANY PUBLISHED RATE, CHARGE OR CLASSIFICATION, MINIMUM WEIGHT OR RULE RELATING TO SERVICE WITHOUT APPROVAL OF THE BOARD.)**

**((3)) (2)** To make or give any undue or unreasonable preference or advantage, or any undue or unreasonable prejudice or disadvantage, to any person, company, firm, corporation, transit point or locality or to any particular description of traffic.

**((4)) (3)** By any special rate, rebate, drawback or other device, directly or indirectly, to charge, demand, collect or receive a greater or less compensation for any service rendered in the transportation of any property within this state than the regular established schedule of rates and charges for like and contemporaneous service for any other person, or for the public generally; or, directly or indirectly, to offer or give any shipper, in connection with or as an inducement or reward for receiving any property for transportation, any gift, gratuity or free pass or any rate less than that offered to the public.

**((5)) (4)** Except as expressly permitted, to charge a greater rate per ton or per ton mile for a single carload of freight of any kind or class than for a greater number of carloads of the same kind or class, to and from the same points of origin or destination.

**((6)) (5)** To charge or receive any greater compensation for the transportation of a quantity of property for a shorter than for a longer distance over the same line, the shorter being included within the longer; but this shall not be so construed as to authorize any carrier to charge or receive as great compensation for a shorter as for a longer distance; or to charge or receive any greater compensation per ton per mile for the contemporaneous transportation of the same class of freight for a longer than for a shorter distance over the same line in the same general direction, or from the same original point of departure or to the same point of arrival; but this shall not be construed so as to authorize any carrier to charge as high a rate per ton per mile for a longer as for a shorter distance.

**((7)) (6)** To charge or receive for the transportation of freight of any description for any distance within this state a greater amount than is at the same time charged or received for a like quantity of freight of the same class over a greater distance of the same railway; or to charge or receive at any point upon its road a higher rate for receiving, handling or delivering freight of the same class or quantity than it shall at the same time charge or receive to any other point upon the same line; or



to charge or receive for freight of any description over its railway a greater amount than at the same time is charged or received for the transportation of a like quantity of freight of the same class being transported over any portion of the same railway of equal distance; or to charge or receive from any person a greater amount than it shall at the same time charge or receive from any other person for the same class and like quantity of freight at the same point upon its railway; or to charge or receive from any person for the transportation of any freight upon its railway a greater amount than it shall at the same time charge or receive from any other person for the transportation of a like quantity of freight of the same class being transported from the same point over an equal distance of the same railway; or to charge or receive from any person for the use and transportation of any railway car upon its railroad for any distance, a greater amount than is at the same time charged or received from any other person for the use and transportation of any railway car of the same class or number for a like purpose being transported over a greater distance of the same railway; or to charge or receive from any person for the use and transportation of any railway car upon its railroad a greater amount in the aggregate than it shall at the same time charge or receive from any other person for the use and transportation of any railway car of the same class for a like purpose being transported from the same original point of an equal distance of the same railway; provided, however, where two or more railroads serve a common point one having a shorter mileage than the other from a given point, the railroad having the longer mileage may be authorized by the board to meet the rate made by the shortest line.

((8)) (7) To charge or receive more for transporting a car of freight than is charged or received per car for several cars of a like class of freight over the same railway for the same distance; or to charge or receive more for transporting a ton of freight than is charged or received per ton for more than a ton but less than a carload of like class over the same railway for the same distance; or to charge or receive more for transporting one hundred pounds of freight than is charged or received per hundred pounds above one hundred pounds but less than a ton of like class over the same railway for the same distance.

Sec. 6. Minnesota Statutes 1981 Supplement, Section 218.031, Subdivision 1, is amended to read:

Subdivision 1. Except as otherwise directed or authorized, it shall be the duty of every common carrier:

(1) To prescribe in the first instance, and to publish upon not less than (TEN) 20 days' public notice *in the case of new or increased rates or ten days' public notice in the case of reduced rates*, in such manner as may be required by the commissioner and law, all schedules of (FARES,) rates and charges and classifications thereof, together with the rules governing the

same, and minimum weights for transportation of freight articles between points or stations in the state, and terminal and switching charges (, PROVIDED THERE SHALL BE BUT ONE CLASSIFICATION APPLICABLE TO ANY ONE COMMODITY WHICH SHALL BE UNIFORM ON ALL RAILROADS IN THIS STATE AND GOVERN IN ALL STATE COMMERCE). *A new or changed contract rate shall become effective in accordance with the provisions of United States Code, Title 49, Section 10713, as amended through December 31, 1981. The board may, for good cause, reduce the notice period specified in this clause.*

(2) To comply with every duly authorized rule, regulation or directive of the commissioner or board except as the same may be stayed, pending appeal therefrom.

(3) To put into effect and observe all schedules of rates (, FARES) and charges and classifications and any amendments or changes therein duly ordered by the board, except as the same may be stayed, pending appeal.

(4) To maintain as may be directed by the commissioner for public inspection at stations and depots all schedules showing all classifications, rates (, FARES) and charges for transportation of freight currently in force applying from such station. Such schedules shall state the places between which property will be carried and show the classification of freight, the distance tariff, a table of distances between stations, any terminal charges and any rules or regulations in any way affecting the aggregate of such rates (, FARES) and charges.

(5) Upon request of an owner or consignor of freight to the initial company, whenever the initial line does not reach the place of destination, or the distance from the place of origin to destination may be shortened, to transfer such freight to a connecting line without change in cars if in carload lots, except such change be free of charge to the shipper and receiver; and to transfer with or without change in cars of less than carload lots at a reasonable joint through rate agreed upon by the connecting carriers or prescribed by the board, not greater than the maximum rates allowed by law, provided any unloading and reloading which is necessary shall be at cost and the charge for such transfer included in the joint rate.

(6) To provide the same switching, transfer and handling facilities for local as for interstate traffic.

(7) Upon written demand of the owner, to construct, maintain and operate side tracks and reasonable facilities connecting with any grain warehouse, dock, wharf, mill, coal yard, quarry, brick or lime kiln, sand or gravel pit, crushed rock or concrete plant or manufactory as may be required by the board, and on such terms as may be agreed upon, or, on failure of agreement, as may be prescribed by the board.

(8) To issue receipts or bills of lading covering all property received for transportation from any point in the state to any other point in the state, and to respond for any loss, damage or injury to such property caused by it or any carrier to whom such property may be delivered or over whose line it may pass (, NOR SHALL ANY CONTRACTUAL PROVISION WHATEVER EXEMPT IT FROM SUCH LIABILITY).

(9) To refund all overcharges for freight, baggage or express, and pay for any loss, damage or injury to property while in its possession, within ninety (90) days after the filing of a claim for such over-charge, loss or damage.

(10) To keep its accounts so as to show, as far as practicable, the earnings derived from, and the expenses incurred in, handling intrastate business in such form as the commissioner shall prescribe, including the separation of accounts for each operating division, wholly or partly within the state. Such accounts shall show the total cost of operating through trains and the total cost of operating the local distributing trains of each operating division, wholly or partly within the state, during the fiscal year to be fixed by the commissioner, the total number of tons of revenue and non-revenue freight, the number of tons of each carried one (1) mile on the through trains and on the local trains, respectively, the number of tons and ton miles of revenue and non-revenue freight carried on through or local trains which are exclusively intrastate, and the gross tons and ton miles made by through and local trains on each division. The accounts shall show the total revenue and non-revenue train and engine miles and the total revenue and non-revenue car miles (the non-revenue car miles to be shown loaded and empty separately) produced by such railroad in the state in each operating division, the number of each of the above train, engine and car mileage produced in handling the through trains and in handling the local trains, the total locomotive miles produced in switching on each division and such further information related to the income or cost of intrastate business as the commissioner may require. The commissioner may require such accounts to be kept with reference to the intrastate passenger business of each carrier and the train, car and engine mileage incurred in such business in this state as he may deem necessary.

(11) During pendency of any litigation, when rates prescribed by the board have not been put into effect, to keep a correct account of every charge made by it for any services to which such rates apply in excess of the rates prescribed, showing in each case the difference between the amount actually charged and the amount allowed to be charged, the date of the transaction, the stations between which the business was carried and the names and addresses of the consignor and consignee, and to report such information in full to the board on its request.

Sec. 7. Minnesota Statutes 1981 Supplement, Section 218.-041, Subdivision 2, is amended to read:

Subd. 2. The board shall, (UPON PETITION AFTER HEARING) *in accordance with the provisions of United States Code, Title 49, Sections 10101 to 11917, as amended through December 31, 1981:*

(1) *Exercise the jurisdiction over common carriers vested in the board by law.*

((1)) (2) Review and ascertain the reasonableness and equalities of all schedules of rates (, FARES) and charges or any part or classification thereof, including joint through rates, and, if found unreasonable or discriminatory, establish new schedules and prescribe the form and manner of filing, posting and publication thereof.

((2)) (3) Order the issuance of any franchises, permits or certificates of convenience and necessity.

((3) PRESCRIBE SCHEDULES OF REASONABLE MAXIMUM RATES OR CHARGES FOR THE TRANSPORTATION OF FREIGHT AND CARS ON EACH RAILROAD, INCLUDING THE CLASSIFICATION OF SUCH RATES AND RULES GOVERNING THE SAME, AND REVISE THE SAME FROM TIME TO TIME.)

(4) The board may unite two or more stations or commercial centers into a common rate point (AND MAY DESIGNATE THE CLASSES OF FREIGHT WHICH SHALL TAKE COMMON RATES,) and fix the mileage that shall govern between the common rate point and any or all other points in the state. The distance so fixed shall not apply as a measure of the rate for the movement of (THE SAME CLASS OF) freight for similar distances between other points.

(5) Prescribe a schedule of joint through railway rates for freight over two or more connecting lines of railway and revise the same from time to time. In so doing, the board shall consider, among other things, rates established for shipments within this state for like distances over single lines, rates charged by the railway companies operating such connecting lines for joint interstate shipments, and the increased cost, if any, of a joint through shipment as compared with a shipment over a single line for like distances. In establishing rates for shipments in less than carload lots, in cases where connecting railways are not required to have common stations or stopping place for loading or unloading freight at connecting points, the board shall regulate the transportation of such freight from the usual unloading place of one railway to the usual loading place of the other. The share of any railway company of any joint through rates shall not be construed to fix the charge that it may make for a similar distance over any part of its line for any single rate shipment, or the share of any other joint rate. Where the line of a railway company connects the point of shipment with the point of des-

tionation but would require a longer haul than a joint haul for which a joint rate has been established, the board may authorize charging the joint rate for the single haul without affecting the charge upon any other part of its line except that the charge for a like kind of property must not be greater for a shorter than for a longer distance upon that railroad, all of the shorter hauls being included within the longer.

(6) Define switching and drayage service to apply to the movement of traffic within and between points and fix reasonable maximum rates for the same, which shall be independent of any rates that may be made for line haul transportation. (THERE SHALL BE BUT ONE TERMINAL CHARGE FOR SWITCHING OR TRANSFERRING ANY CAR WITHIN ANY ONE MUNICIPALITY AND,) If it is necessary that any car in such transfer pass over the tracks of more than one railroad within such limits, the company first so transferring such car shall receive the entire charge therefor and be liable to each company doing subsequent switching for its just share of such charge as may be agreed upon among the companies, or, in the event of disagreement, as prescribed by the board.

Sec. 8. Minnesota Statutes 1980, Section 218.041, Subdivision 4, is amended to read:

Subd. 4. The board shall, upon petition:

(1) At all points of intersection and crossings of different railroads, or where two railroads are not more than one-half mile apart, and at all terminals, prescribe ample facilities by track connection, joint use of tracks, freight platforms and depots, warehouses, docks over which general merchandise is handled and forwarded, and other necessary appliances and conveniences for the transfer, forwarding and handling of general merchandise and parcel freight between such railroads and between such railroads and such docks, warehouses and vessels at such docks.

(2) Determine the proportionate share of each company in the cost of providing connecting and transfer facilities in the event the companies fail to agree.

(3) Direct construction, maintenance and operation at any points prescribed by law of all side tracks and reasonable facilities connecting any road with any grain warehouse or mill, dock, wharf, coal yard, quarry, brick or lime kiln, sand or gravel pit, crushed rock or concrete plant, or manufactory adjacent thereto, and prescribe the terms therefor.

(4) Prescribe reasonable regulations for handling property, passenger, baggage, express and mail, partly over privately owned rights-of-way and partly over highways, so that reasonable and adequate accommodations and service may be afforded.

(5) Prescribe the extent to which any designated carrier, upon its petition, may be relieved from the operation of the principles established by section 218.021, subdivision 1, clauses ((6)) (5), ((7)) (6) and ((8)) (7).

(6) Direct the repair, reconstruction or replacement of any inadequate or unsafe trackage, structure or facility.

Upon receipt of a petition for action pursuant to this subdivision the board shall give notice to all persons known to it to have an interest in the matter and publish notice of the petition in the state register. The board may grant the petition 30 days after notice has been fully made. If the board receives a written objection to the petition from any person within 20 days after the notice of filing has been fully made, the exemption shall be granted or denied only after a contested case hearing has been held on the matter. The board may elect to hold a contested case hearing if no objections to the petition or application are received. If a timely objection is not received and the board declines to act without hearing, the petitioner may request within 30 days of receiving a notice of denial, and shall be granted, a contested case hearing on the application.

Sec. 9. Minnesota Statutes 1980, Section 218.071, Subdivision 1, is amended to read:

*Subdivision 1. The board and commissioner may promulgate rules, orders and directives necessary to carry out the respective duties conferred on them by this chapter. The rules, orders, and directives may not be contrary to United States Code, title 49, sections 10101 to 11917, as amended through December 31, 1981. Every duly adopted rule, order or directive of the board or commissioner shall have the full force and effect of law."*

Page 3, after line 35, insert: "*Until the effective date of Laws 1980, Chapter 534, the jurisdiction conferred on the transportation regulation board by sections 4 to 8 shall be exercised by the public utilities commission."*

Renumber the section

Amend the title as follows:

Page 1, line 2, delete "energy" and insert "the public utilities commission"

Page 1, line 4, after "clarifying" insert "and assigning"

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

Page 1, line 7, after the semicolon, insert "218.021, Subdivision 1; 218.041, Subdivision 4; and 218.071, Subdivision 1;,"

Page 1, line 8, delete "and"

Page 1, line 9, after "2" insert "; 218.031, Subdivision 1; and 218.041, Subdivision 2"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1811, A bill for an act relating to state investment policy; prohibiting certain investments in countries not following human rights standards; proposing new law coded in Minnesota Statutes, Chapter 11A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [11A.26] [PROHIBITED INVESTMENTS.]

*Subdivision 1. [POLICY.] The legislature finds that the present government of the Republic of South Africa, through its legally sanctioned policies of racial discrimination, is violative of both the substance and the intent of Minnesota laws protecting individuals from unjust discrimination. Therefore, it is the intention of the legislature to prohibit future investments and deposits in financial institutions lending money to the government of the Republic of South Africa or any of its agencies.*

*Subd. 2. [DEFINITIONS.] As used in this section, the following terms shall have the meanings given them:*

*(1) "Financial institution" means any federally or state chartered bank, savings and loan, thrift institution, or any other institution permitted by state or federal law to receive deposits of money and to pay out that money through loans, draft accounts, or the sale of financial institutions securities;*

*(2) "Financial institution securities" means any stock or bond issued by a financial institution, and any certificate of deposit, bankers acceptance, or other negotiable security issued by a financial institution.*

*(3) "National corporation" includes a corporation or a subsidiary or affiliate of a corporation that is more than 50 percent owned or operated by the government of the Republic of South Africa.*

*Subd. 3. [PROHIBITED INVESTMENTS AND DEPOSITS IN FINANCIAL INSTITUTIONS.] The state board shall not purchase or acquire any financial institution security issued by a financial institution that after January 1, 1983 participates in any loans to the government of the Republic of South Africa or any South African government agency or to any South African national corporation. Nor shall the state board deposit any assets of the board in such financial institutions.*

*A financial institution ineligible to receive state board investments and deposits may establish eligibility if documentary evidence is submitted to the state board of investment which is sufficient to establish that the financial institution has adopted a written policy that prohibits the lending of its assets to the government of the Republic of South Africa or any of its agencies. For purposes of this section, "documentary evidence" shall include, as a minimum, an executed affidavit by an appropriate officer of the financial institution, in a form prepared by the board, attesting to the fact that the financial institution prohibits the lending of its assets to the government of the Republic of South Africa or any of its agencies. The board shall also attempt to verify compliance by reference to sources of information not affiliated with the corporation or financial institution."*

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1887, A bill for an act relating to education; requiring welfare and correctional institutions to submit an educational policy to the commissioner of education; proposing new law coded in Minnesota Statutes, Chapter 121.

Reported the same back with the following amendments:

Page 2, after line 8, insert a new section to read:

"Sec. 3. [EVALUATION REFERRALS.]

*Any educational evaluations or plans for correctional system inmates or welfare institution residents shall be forwarded by the commissioners of corrections and welfare to any other state agency to which the inmate or resident is referred following completion of term or treatment."*

Renumber the section



With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1946, A bill for an act relating to administrative procedures; providing for notice of temporary rulemaking; amending Minnesota Statutes 1981 Supplement, Section 15.0412, Subdivision 5.

Reported the same back with the following amendments:

Page 2, after line 32, insert:

"Sec. 2. Minnesota Statutes 1981 Supplement, Section 256B.02, Subdivision 8, as amended by Laws 1981, Third Special Session Chapter 2, Article I, Section 31, is amended to read:

Subd. 8. "Medical assistance" or "medical care" means payment of part or all of the cost of the following care and services for eligible individuals whose income and resources are insufficient to meet all of such cost:

- (1) Inpatient hospital services.
- (2) Skilled nursing home services and services of intermediate care facilities.
- (3) Physicians' services.
- (4) Outpatient hospital or clinic services.
- (5) Home health care services.
- (6) Private duty nursing services.
- (7) Physical therapy and related services.
- (8) Dental services, excluding cast metal restorations.
- (9) Laboratory and x-ray services.
- (10) The following if prescribed by a licensed practitioner: drugs, eyeglasses, dentures, and prosthetic devices. The commissioner shall designate a formulary committee which shall advise the commissioner on the names of drugs for which payments shall be made, recommend a system for reimbursing providers on a set fee or charge basis rather than the present system, and develop methods encouraging use of generic drugs when they are less expensive and equally effective as trademark drugs. The

commissioner shall appoint the formulary committee members no later than 30 days following July 1, 1981. The formulary committee shall consist of nine members, four of whom shall be physicians who are not employed by the department of public welfare, and a majority of whose practice is for persons paying privately or through health insurance, three of whom shall be pharmacists who are not employed by the department of public welfare, and a majority of whose practice is for persons paying privately or through health insurance, a consumer representative, and a nursing home representative. Committee members shall serve two year terms and shall serve without compensation. The commissioner may establish a drug formulary. Its establishment and publication shall not be subject to the requirements of the administrative procedure act, *but the formulary committee shall review and comment on the formulary contents.* The formulary shall not include: drugs for which there is no federal funding; over the counter drugs, except for antacids, acetaminophen, family planning products, aspirin, insulin, prenatal vitamins, and vitamins for children under the age of seven; nutritional products; anorectics; and drugs for which medical value has not been established. Payment to drug vendors shall not be modified before the formulary is established. The commissioner may promulgate conditions for prohibiting payment for specific drugs after considering the formulary committee's recommendations.

The basis for determining the amount of payment shall be the actual acquisition cost of the drug plus a fixed dispensing fee established by the commissioner. Actual acquisition cost includes quantity and other special discounts except time and cash discounts. Establishment of this fee shall not be subject to the requirements of the administrative procedure act. Whenever a generically equivalent product is available, payment shall be on the basis of the actual acquisition cost of the generic drug, unless the prescriber specifically indicates "dispense as written" on the prescription as required by section 151.21, subdivision 2.

*Notwithstanding the above provisions, implementation of any change in the fixed dispensing fee which has not been subject to the administrative procedure act shall be limited to not more than 180 days, unless, during that time, the commissioner shall have initiated rulemaking through the administrative procedure act.*

(11) Diagnostic, screening, and preventive services.

(12) Health care pre-payment plan premiums and insurance premiums if paid directly to a vendor and supplementary medical insurance benefits under Title XVIII of the Social Security Act.

(13) Abortion services, but only if one of the following conditions is met:

(a) The abortion is a medical necessity. "Medical necessity" means (1) the signed written statement of two physicians indicating the abortion is medically necessary to prevent the death of the mother, and (2) the patient has given her consent to the abortion in writing unless the patient is physically or legally incapable of providing informed consent to the procedure, in which case consent will be given as otherwise provided by law;

(b) The pregnancy is the result of criminal sexual conduct as defined in section 609.342, clauses (c), (d), (e)(i), and (f), and the incident is reported within 48 hours after the incident occurs to a valid law enforcement agency for investigation, unless the victim is physically unable to report the criminal sexual conduct, in which case the report shall be made within 48 hours after the victim becomes physically able to report the criminal sexual conduct; or

(c) The pregnancy is the result of incest, but only if the incident and relative are reported to a valid law enforcement agency for investigation prior to the abortion.

(14) Transportation costs incurred solely for obtaining emergency medical care or transportation costs incurred by non-ambulatory persons in obtaining emergency or non-emergency medical care when paid directly to an ambulance company, common carrier, or other recognized providers of transportation services. For the purpose of this clause, a person who is incapable of transport by taxicab or bus shall be considered to be non-ambulatory.

(15) To the extent authorized by rule of the state agency, costs of bus or taxicab transportation incurred by any ambulatory eligible person for obtaining non-emergency medical care.

(16) Any other medical or remedial care licensed and recognized under state law unless otherwise prohibited by law.

### Sec. 3. [MAILING LISTS.]

*A department, agency, or official of the state issuing for public distribution any book, document, journal, map, pamphlet, or report on a regular basis to a list of persons who have asked to receive regular publications shall insert into at least one publication per person per year a returnable card which must be returned by that person in order to receive future similar publications from that department, agency, or official."*

Renumber the section

Amend the title as follows:

Page 1, line 5, after "5" insert "; and 256B.02, Subdivision 8, as amended"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1982, A bill for an act relating to forestry; establishing a forest research management policy and plan; realignment of forestry boundaries; establishing a forest management fund and accounting system; making various changes in forestry laws; amending Minnesota Statutes 1980, Sections 16A.125, Subdivision 5; 89.001, by adding subdivisions; 89.01, Subdivision 6; 89.021, Subdivision 1; 89.036; 89.37, Subdivisions 2, 3, 3a, and 4; 90.201; 90.251, Subdivision 1; 197.447; 282.01, Subdivisions 1 and 3; 282.02; and 282.132; Minnesota Statutes 1981 Supplement, Section 282.04, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapters 88, 89, 90, and 282; repealing Minnesota Statutes 1980, Sections 282.031; 282.032; 282.033; 282.034; 282.035; 282.036; and 282.037.

Reported the same back with the following amendments:

Page 9, line 14, delete everything after *"implementing"*

Page 9, delete line 15 and insert *"clauses (a) to (d) of this subdivision."*

Page 9, delete lines 25 to 36

Page 10, delete lines 1 to 4

Page 20, line 31, after *"(ANY)"* insert *"In the case of forest land as defined by section 89.001, subdivision 4,"*

Page 30, delete lines 22 to 25 and insert:

*"Sec. 33. [EFFECTIVE DATE.]*

*Sections 10, 11, 16, and 28 are effective July 1, 1983. The remaining sections are effective the day following final enactment."*

Renumber the sections

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2005, A bill for an act relating to employment; providing for equitable compensation relationships among certain government employees; amending Minnesota Statutes 1981 Supplement, Sections 43A.01, by adding a subdivision; 43A.02, by adding subdivisions; 43A.05, by adding a subdivision; and 43A.18, Subdivision 8; proposing new law coded in Minnesota Statutes, Chapter 137.

Reported the same back with the following amendments:

Page 1, line 14, after "state" insert "to attempt"

Page 2, line 20, after "compile" insert ", subject to availability of funds and personnel,"

Page 2, line 34, before the period insert ", provided that the full legislature may approve, reject, or modify the commission's action"

Page 2, line 35, delete "allocate" and insert "show the distribution of"

Page 3, line 6, after "of" insert "any appropriated"

Pages 4 and 5, delete section 8

Page 5, line 4, delete "Subdivision 1. [STATE EMPLOYEES.]" and delete "approved" and insert "recommended"

Page 5, line 6, delete ", and approved by the full legislature,"

Page 5, line 7, after "be" delete the new language and insert "submitted to the full legislature by March 1 of each odd-numbered year. The legislature may accept, reject, or modify the amount recommended"

Page 5, delete line 8

Page 5, line 9, delete everything before the period

Page 5, line 11, delete "these amounts" and insert "the amount appropriated by the legislature, on a pro-rata basis, if necessary,"

Page 5, delete lines 19 to 32 and insert a new section to read as follows:

"Sec. 9. [EXCEPTION.]

*The provisions of this act do not apply to the positions contained in Minnesota Statutes 1981 Supplement, Section 43A.08, Subdivision 1, Clause (g)."*

Renumber the sections

Amend the title as follows:

Page 1, line 7, delete “; proposing new”

Page 1, line 8, delete everything before the period

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2040, A bill for an act relating to real property; providing for relief in certain cases from inequitable foreclosure of mortgages, termination of contracts for the conveyance of real estate, and execution sales of real property during an emergency declared by the legislature; postponing certain sales and extending the period of redemption of real property during an emergency; providing for possession during the extended period; and limiting the right to maintain actions for deficiency judgments; proposing new law coded in Minnesota Statutes, Chapter 4.

Reported the same back with the following amendments:

Page 4, line 9, delete “*after*” and insert “*during*” and delete “*date*” and insert “*period*”

Page 4, line 14, delete “*after*” and insert “*during*” and delete “*date*” and insert “*period*”

Page 5, line 23, delete “12” and insert “11”

Page 6, line 7, delete “*after*” and insert “*during*”

Page 6, line 30, after “*enactment*” insert “*and shall remain in effect for a period of one year thereafter*”

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2190, A bill for an act relating to education; allowing the immigration history research center to use donated services

or donated property to meet its matching requirements; amending Laws 1981, Chapter 359, Section 9, Subdivision 12.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 136A.02, Subdivision 1, is amended to read:

Subdivision 1. The higher education coordinating board shall consist of eight citizen members, one from each congressional district, to be appointed by the governor with the advice and consent of the senate, and three citizen members also to be appointed by the governor by and with the advice and consent of the senate to represent the state at large. All appointees to the board shall be selected for their knowledge of and interest in post secondary education and at least one shall be selected specifically for his knowledge of and interest in vocational education. *No member of the board may be a full-time employee of an institution of post-secondary education whose students are eligible for state financial assistance.*

Sec. 2. Minnesota Statutes 1980, Section 471.59, is amended by adding a subdivision to read:

*Subd. 1a. [REGIONAL MANAGEMENT INFORMATION CENTERS.] Notwithstanding any law to the contrary, elementary-secondary-vocational education regional management information centers are governmental units for the purposes of this act.*

Sec. 3. Laws 1981, Chapter 359, Section 2, Subdivision 8, is amended to read:

Subd. 8. Federal money received for strengthening or administration of state education agencies pursuant to the Elementary and Secondary Education Act of 1965, Title 4C, as amended, or pursuant to the Education Amendments of 1978, Section 404, Paragraph (a), Clause (9), or Title 5, Part B, or pursuant to any federal education block grant program shall be spent only for the activities and approved complement positions shown in the allocation plan for Title 4C (MONEY) and federal education block grant program monies as approved by the conferees of the senate and house of representatives. *If the federal education block grant program plan is not ready for approval while the legislature is in session, the plan shall be submitted for approval by the governor after consultation with the legislative advisory commission.* The amounts available for expenditure for each activity are those shown in the allocation plan. Amounts necessary to support approved complement positions shown in the allocation plan may be added to or transferred among those

activities by the commissioner of education, with the approval of the commissioner of finance and with notification to the committee on finance of the senate and the committee on appropriations of the house of representatives. Any other transfers or additions may be made only by the governor after consultation with the legislative advisory commission.

Section 4. Laws 1981, Chapter 359, Section 9, Subdivision 12, is amended to read:

Subd. 12. Immigration History  
Research Center .....

225,000

Portions of the above appropriation are available upon submission of required documentation that each dollar in state money has been matched by at least two dollars in money contributed from non-state and non-federal sources; that each dollar in state money has been matched by at least one dollar in federal money and that the total amount provided by the state does not exceed the total amount provided by the federal government. *Only one of every two dollars contributed from non-state and non-federal sources may be donated services or donated or loaned personal or real property. These services and property shall be valued according to Code of Federal Regulations, title 34, sections 74.54 to 74.57 (1980).* All requests shall be reviewed by the chairmen of the house appropriations and senate finance committees and the chairmen shall make recommendations on the requests. Failure or refusal to make a recommendation promptly is deemed a negative recommendation.

Sec. 5. Laws 1981, Third Special Session Chapter 2, Article I, Section 6, Subdivision 1, is amended to read:

Subdivision 1. [UNIVERSITY OF MINNESOTA; STATE UNIVERSITIES; COMMUNITY COLLEGES; AREA VOCATIONAL-TECHNICAL INSTITUTES.] The board of regents of the University of Minnesota, and the state university board, the community college board, and the state board for vocational education shall each develop a plan for providing post-secondary education services under conditions of declining or reduced enrollments and potentially declining financial resources. Each plan shall specify the fiscal implications of declining enrollments. Each plan shall propose a strategy for adjusting the present level of facilities and services to the projected level of reduced demand. The strategies may include such methods as campus mergers, reorganizations, discontinuance of campuses or colleges, changes in system governance, and other such methods. The purpose of the plan is to reduce the cost of present facilities and services in proportion to the reduction in enrollment. Each plan shall be submitted to the legislature by January



1, 1983. *Included in the plan submitted by the university of Minnesota shall be an analysis of instructional funding for colleges on the twin cities campus, colleges at the Duluth campus and funding for the Crookston, Waseca, and Morris campuses.*

Sec. 6. [REPEALER.]

*Minnesota Statutes 1980, Sections 120.17, Subdivision 10; and 121.12, are repealed.*

Sec. 7. [EFFECTIVE DATE.]

*Sections 1 to 6 are effective the day following final enactment."*

Delete the title and insert:

"A bill for an act relating to education; changing the requirements for membership on the higher education coordinating board; allowing the regional management information centers to be considered governmental units for purposes of the joint powers law; requiring the approval of a plan for spending federal education block grant funds for state administrative purposes; allowing the immigration history research center to use donated services or donated property to meet its matching requirements; broadening the planning process relating to declining enrollments in higher education; repealing mandates; amending Minnesota Statutes 1980, Sections 136A.02, Subdivision 1; 471.59, by adding a subdivision; Laws 1981, Chapter 359, Section 2, Subdivision 8; and Section 9, Subdivision 12; Third Special Session Chapter 2, Article I, Section 6, Subdivision 1; repealing Minnesota Statutes, Sections 120.17, Subdivision 10; and 121.12."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 352, 376, 1757, 1798, 1811, 1887, 1946, 1982, 2005, 2040 and 2190 were read for the second time.

SPECIAL ORDERS, Continued

H. F. No. 1897 was reported to the House.

Hanson moved to amend H. F. No. 1897, the first engrossment, as follows:

Page 8, line 12, after the semicolon insert "and"

Page 8, line 13, delete "*Sections*" and insert "*Section*" delete "*and 37.27*"

Amend the title as follows:

Page 1, line 9, delete "*Sections*" and insert "*Section*" and delete "; and 37.27"

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

Hanson and Wynia moved to amend H. F. No. 1897, the first engrossment, as follows:

Page 2, line 17, after the period insert "*Nothing in this section exempts property on the fairgrounds or the fairgrounds itself, which are otherwise taxable, from being subject to real and personal property taxes pursuant to chapters 272 to 275, and 471.*"

The motion prevailed and the amendment was adopted.

Wynia and Hanson moved to amend H. F. No. 1897, the first engrossment, as amended, as follows:

Page 7, line 28, after "upon" reinstate the stricken language

The motion prevailed and the amendment was adopted.

H. F. No. 1897, A bill for an act relating to the state agricultural society; updating and clarifying certain powers and duties of the society; amending Minnesota Statutes 1980, Sections 37.01; 37.04, Subdivision 3; 37.05; 37.06; 37.17, Subdivisions 1, 2, and by adding a subdivision; 37.18; 37.19; 37.20; 37.21; and 37.22; repealing Minnesota Statutes 1980, Section 37.23; Minnesota Statutes 1981 Supplement, Sections 37.17, Subdivision 3; and 37.27.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

The Speaker called Wynia to the Chair.

H. F. No. 1894 was reported to the House.

Vellenga moved to amend H. F. No. 1894, the first engrossment, as follows:

Page 7, line 21, delete "*or rent*"

Page 7, line 24, after "*families*" insert "*, including renters of the single family housing,*"

Page 12, after line 14, insert:

"Sec. 14. Minnesota Statutes 1981 Supplement, Section 462C.09, is amended to read:

**462C.09 [ALLOCATION OF QUALIFIED MORTGAGE BONDS.]**

*Subdivision 1. [HOUSING FINANCE AGENCY ALLOCATION.]* The applicable limit for the Minnesota housing finance agency, pursuant to section 103A (g) of the Internal Revenue Code of 1954 as amended through December 31, 1980, for any calendar year commencing with calendar year 1981, shall be 100 percent of the state ceiling for that year, reduced only by (i) any amounts of bonds which have been or may be allocated by law to specified cities and (ii) any amounts of bonds which are allocated to cities pursuant to subdivisions 2 and 3. The aggregate amount allocated to cities, under (i) or (ii), together with the amount of bonds reserved for the agency, shall not exceed the limit for the state under section 103A(g) of the Internal Revenue Code of 1954, as amended through March 1, 1982.

By (JULY 1) *August 1* of each year, any city which has received by law an allocation of the state ceiling shall (CERTIFY TO THE AGENCY THE AMOUNT OF BONDS SUBJECT TO THE STATE CEILING WHICH THE CITY INTENDS TO ISSUE DURING THE CALENDAR YEAR) *submit its housing programs to the Minnesota housing finance agency for approval pursuant to section 462C.04, subdivision 2, in an amount of bonds equal to or less than, the city's allocation. If the amount (CERTIFIED) of bonds, for which program approval is granted on or before September 1 is less than the amount allocated by law to the city, the applicable limit for the agency shall be increased by the difference between the amount allocated by law to the city, and the amount (CERTIFIED BY THE CITY, TO THE AGENCY) for which program approval has been granted.*

*Subd. 2. [CITY ALLOCATION.] Unless otherwise authorized by law, any city which intends to issue mortgage revenue bonds during any calendar year which are subject to the volume limitation imposed by section 103A(g) of the Internal Revenue Code of 1954, as amended through March 1, 1982, shall by January 2 of that year submit a program or programs to the Minnesota housing finance agency that will use a portion of the state mortgage revenue bond ceiling, provided that for calendar year 1982 programs shall be submitted by May 30, 1982. The total amount of bonds included in all programs of any city shall not exceed \$10,000,000. Each program shall be accompanied by a certificate from the city that states that the revenue bond issue is feasible and that identifies the amount and sources of non-bond proceeds, if any, which will be contributed to the program to be financed by the bond issue, provided that no contribution of non-bond proceeds shall be required. By February 1, the Minnesota housing finance agency shall review each program pursuant to section 462C.04, subdivision 2, provided that for calendar year 1982, programs shall be approved by June 30, 1982. The Minnesota housing finance agency shall approve all programs that the agency determines are consistent with this chapter, provided that if the approval of all programs would result in an allocation to cities in excess of 27-1/2 percent of the state ceiling for the calendar year, reduced by any amount of bonds that are allocated by law to specified cities, the Minnesota housing finance agency shall only approve those programs based upon the following factors and based solely upon the program with accompanying information submitted to the agency. The Minnesota housing finance agency shall determine the following factors for each program:*

(1) *The proportion of the proposed issue which is reserved for a period of not less than six months for persons and families with incomes below 80 percent of the limits on adjusted gross income provided in section 462C.03, subdivision 2;*

(2) *The proportion of the proposed issue which is reserved for a period of not less than six months for persons and families*

with incomes below 90 percent of the limits on adjusted gross income provided in section 462C.03, subdivision 2; and

(3) The amount of non-bond proceeds, if any, as a percentage of the proposed issue, which are to be contributed to the program.

Programs shall be ranked based upon the percentage determined for factor (1) with the program having the highest percentage receiving the highest ranking. If two or more programs have the same percentage, then they shall be ranked based upon the percentages determined for factor (2) with the program receiving the highest percentage receiving the highest ranking. If two or more programs have the same percentage for factors (1) and (2), then they shall be ranked based upon the percentages determined for factor (3) with the program having the highest percentage receiving the highest ranking. If two or more programs have the same percentage for factors (1), (2), and (3), then their ranking shall be determined by lot. The Minnesota housing finance agency shall then approve programs based upon the ranking until an amount equal to 27-1/2 percent of the state ceiling for the calendar year, reduced by any amount of bonds which are allocated by law to specified cities, is allocated pursuant to this subdivision. Approval of a program shall constitute an allocation of a portion of the state ceiling for mortgage revenue bonds equal to the proposed bond issue or issues contained in the program, provided that the allocation for the lowest ranked program that receives an allocation may be equal to or less than the amount of the bond issue or issues proposed in the program.

If a city which received an allocation pursuant to this subdivision, or which has been allocated a portion of the state ceiling by law and has received approval of one or more programs, has not issued bonds by September 1 in an amount equal to the allocation, and the city intends to issue mortgage revenue bonds prior to the end of the calendar year, the city shall by September 1 submit to the Minnesota housing finance agency for each program a letter that states the city's intent to issue the mortgage revenue bonds prior to the end of the calendar year. If the Minnesota housing finance agency does not receive the letter from the city, then the allocation of the state ceiling for that program shall expire on September 1, and the applicable limit for the Minnesota housing finance agency shall be increased by an amount equal to the unused portion of the allocation to the city. A city referred to in subdivision 1, clause (i), of this section shall not be required to apply under this subdivision with respect to bonds allocated by law to any such city. Nothing in this subdivision shall prevent any such city from applying for an additional allocation of bonds under this subdivision.

Subd. 3. [ADDITIONAL CITY ALLOCATION.] On or before September 1 of each year, the Minnesota housing finance agency shall identify the amount, if any, of its applicable limit

*for housing mortgage bonds for that calendar year that it does not intend to issue. Any city that intends to issue mortgage revenue bonds prior to the end of the calendar year for which it has not received an allocation of the state ceiling may submit a program for approval on or before September 1 to the Minnesota housing finance agency for a portion of the amount of the Minnesota housing finance agency's applicable limit as provided in subdivision 1 which the agency does not intend to issue. The total amount of bonds included in all programs of any city submitted pursuant to this subdivision shall not exceed \$10,000,000. The program shall be accompanied by the same certificate required by subdivision 2. The Minnesota housing finance agency shall allocate the amount of the state ceiling to be allocated pursuant to this subdivision using the same factors listed in subdivision 2, provided that a program for any city receiving an allocation pursuant to subdivision 2 during the calendar year shall be ranked below all other programs if the bonds proposed in the program, when added to the bonds included in programs approved pursuant to subdivision 2, exceed \$10,000,000. A city that submitted a program pursuant to subdivision 2 but that did not receive an allocation may renew its application with a letter of intent to issue. Nothing in this subdivision shall prevent any city referred to in subdivision 1, clause (i), from applying for an additional allocation of bonds under this subdivision.*

*Subd. 4. [AGENCY REVIEW.] The 30 day review requirement in section 462C.04, subdivision 2, shall not apply to programs submitted to the agency that require an allocation of the state ceiling pursuant to this section. A failure by the agency to complete any action by the dates set forth in this section shall not result in the approval of any program or the allocation of any portion of the applicable limit of the agency. Approval by the agency of programs after the dates provided in this section shall be effective in allocating a portion of the state ceiling. Programs approved by the agency may be amended with the approval of the agency under section 462C.04, subdivision 2, provided that the dollar amount of bonds for the program may not be increased."*

Renumber the remaining sections

Amend the title as follows:

Page 1, line 4, after the semicolon insert "providing for the allocation of mortgage bonds;"

Page 1, line 10, after the semicolon insert "and 462C.09;

The motion prevailed and the amendment was adopted.

Vellenga moved to amend H. F. No. 1894, the first engrossment, as amended, as follows:

Page 3, line 24, delete " "Substantial rehabilitation" means"

Page 3, delete lines 25 to 27

The motion prevailed and the amendment was adopted.

Schreiber moved to amend H. F. No. 1894, the first engrossment, as amended, as follows:

Page 12, line 14, after "475" insert "*and the revenue bonds or other obligations may be sold at 97 percent or more of their principal amount, notwithstanding the provisions of section 462A.09*"

The motion prevailed and the amendment was adopted.

Vellenga moved to amend H. F. No. 1894, the first engrossment, as amended, as follows:

Page 3, line 15, after "existing" insert "residential"

The motion prevailed and the amendment was adopted.

H. F. No. 1894, A bill for an act relating to municipal housing; authorizing the planning, implementation, and financing of rehabilitation and energy improvement loans; providing for the allocation of mortgage bonds; amending Minnesota Statutes 1980, Sections 462C.01; 462C.02, Subdivisions 3, 4 and 5, and by adding subdivisions; 462C.03, as amended; 462C.04, Subdivision 2; 462C.05, Subdivisions 2 and 5; 462C.07, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 462C.05, Subdivisions 1 and 3; and 462C.09; repealing Minnesota Statutes 1981 Supplement, Section 462C.07, Subdivision 2.

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

The question was taken on the passage of the bill and the roll was called. There were 111 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Aasness	Clark, J.	Fjoslien	Himle	Kostohryz
Anderson, G.	Clark, K.	Forsythe	Hoberg	Laidig
Anderson, I.	Clawson	Greenfield	Hokanson	Lehto
Battaglia	Dahlvang	Gruenes	Jacobs	Long
Begich	Dean	Gustafson	Johnson, C.	Luknic
Berkelman	Dempsey	Halberg	Johnson, D.	Mann
Blatz	Drew	Hanson	Jude	Marsh
Brandl	Eken	Harens	Kahn	McCarron
Brinkman	Elioff	Hauge	Kaley	McEachern
Byrne	Ellingson	Haukoos	Kalis	Mehrkens
Carlson, D.	Evans	Heap	Kelly	Metzen
Carlson, L.	Ewald	Heinitz	Knickerbocker	Minne

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

Those who voted in the negative were:

Ainley	Esau	Ludeman	Stowell	Wigley
Anderson, B.	Frerichs	McDonald	Valento	
Den Ouden	Jennings	Nysether	Welker	
Erickson	Kvam	Schafer	Wieser	

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

H. F. No. 1018, A bill for an act relating to agriculture; consolidating existing laws; providing for agricultural commodity research and promotion councils; establishing procedures; providing penalties; amending Minnesota Statutes 1980, Sections 17.53; 17.54; 17.56; 17.57; 17.58; 17.59, Subdivisions 1, and 2; 17.60; 17.62; 17.63; 17.64; and 17.67; amending Minnesota Statutes 1981 Supplement, Section 17.59, Subdivision 4; repealing Minnesota Statutes 1980, Sections 17.55; 17.601; 17.65; 17.68; 21A.01 to 21A.19, as amended; 29.14 to 29.16; 29.18; 29.19; 30.461 to 30.468, as amended; 30.472 to 30.479; 32B.01 to 32B.06; 32B.08 to 32B.11; 32B.13; Minnesota Statutes 1981 Supplement, Sections 29.17; 30.469; 30.47; 32B.07; and 32B.12.

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

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

Those who voted in the affirmative were:

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



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

Those who voted in the negative were:

McDonald      Stowell      Welker

The bill was passed and its title agreed to.

H. F. No. 1642 was reported to the House.

There being no objection H. F. No. 1642 was continued on Special Orders for one day.

H. F. No. 1704, A bill for an act relating to public safety; making it a felony to use or possess metal-penetrating bullets in the commission of a crime; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 624.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

### CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Sieben, M., requested immediate consideration of H. F. Nos. 2156 and 1553.

H. F. No. 2156, A bill for an act relating to education; authorizing the state university board to lease land on Mankato state university campus; permitting Mankato state university to lease a building; transferring title for a building to the state; proposing new law coded in Minnesota Statutes, Chapter 136.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

The Speaker resumed the Chair.

H. F. No. 1553, A bill for an act relating to drivers licenses; requiring the suspension of licenses of certain uninsured persons; providing a penalty; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 171.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

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

#### RECESS

#### RECONVENED

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

#### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Eken, from the Committee on Rules and Legislative Administration, pursuant to Rule 1.9, designated the following bills as a Special Order to be added to Special Orders pending for March 8, 1982:

H. F. Nos. 1382, 1737, 1760, 1934, 930, 2228, 2199, 1816 and 1844 and S. F. Nos. 16, 786, 787, 1878, 1644 and 1687.

### SPECIAL ORDERS, Continued

H. F. No. 1382, A bill for an act relating to the city of Duluth; providing for the size of the housing and redevelopment authority.

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	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	Long	Peterson, D.	Stumpf
Brandl	Halberg	Ludeman	Piepho	Sviggum
Brinkman	Hanson	Luknic	Pogemiller	Swanson
Byrne	Hauge	Mann	Redalen	Tomlinson
Carlson, D.	Haukoos	McCarron	Reding	Valan
Carlson, L.	Heap	McDonald	Rees	Valento
Clark, J.	Heinitz	McEachern	Reif	Vanasek
Clark, K.	Himle	Mehrkens	Rice	Vellenga
Clawson	Hokanson	Metzen	Rodriguez, C.	Voss
Dahlvang	Hokr	Minne	Rodriguez, F.	Weaver
Dean	Jacobs	Munger	Rose	Welch
Dempsey	Jennings	Murphy	Rothenberg	Welker
Den Ouden	Johnson, C.	Nelsen, B.	Samuelson	Wenzel
Drew	Johnson, D.	Nelson, K.	Sarna	Wieser
Eken	Jude	Niehaus	Schoenfeld	Wigley
Elioff	Kahn	Norton	Schreiber	Wynia
Ellingson	Kaley	Novak	Searles	Zubay
Esau	Kalis	Nysether	Sherman	Spkr. Sieben, H.

The bill was passed and its title agreed to.

H. F. No. 1737, A bill for an act relating to retirement; local police and salaried firefighters relief association; providing minimum disability benefit coverage for police officers and firefighters in certain local relief associations; providing for the recomputation of a disability benefit as a service pension upon the attainment of a certain age; providing service credit for periods of disability in certain instances; requiring the provision of less hazardous duty employment positions for marginally disabled police officers and firefighters; requiring offsets from disability benefits in certain instances; authorizing the establishment and operation of the West St. Paul firefighters relief association; validating prior actions by the West St. Paul firefighters relief association; clarifying and resolving an inconsistency in prior enactments concerning medical and health insurance coverage for certain relief association members; amending Laws 1974,

Chapter 382, Sections 4, Subdivision 3, as amended; and 6, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 423A.

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

The question was taken on the passage of the bill and the roll was called. There were 113 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1760, A bill for an act relating to crimes; expanding criminal responsibility of certain recipients of stolen property; modifying penalties for receiving stolen property; expanding definition of "burglary"; amending Minnesota Statutes 1980, Section 609.53, Subdivisions 1 and 3; and 609.58, Subdivision 2; 626A.05, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 609.53, Subdivisions 1a and 4; repealing Minnesota Statutes 1980, Section 609.53, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 609.53, Subdivision 2a.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1934 was reported to the House.

Long moved that H. F. No. 1934 be continued on Special Orders for one day. The motion prevailed.

H. F. No. 930 was reported to the House.

Ellingson moved that H. F. No. 930 be continued on Special Orders for one day. The motion prevailed.

H. F. No. 2228 was reported to the House.

Ellingson moved that H. F. No. 2228 be continued on Special Orders for one day. The motion prevailed.

H. F. No. 2199, A bill for an act relating to elections; recodifying municipal elections law; amending Minnesota Statutes 1980, Sections 205.02; 205.07, Subdivision 1; 205.13, as amended; 205.16; 205.17, as amended; 205.20, as amended; and 205.84; Minnesota Statutes 1981 Supplement, Section 205.10; proposing new law coded in Minnesota Statutes, Chapter 205; repealing Minnesota Statutes 1980, Sections 205.021; 205.04; 205.11, Subdivisions 1, 2, 3, 4 and 5; 205.14, Subdivisions 1, 2 and 3; 205.18; and 205.19; and Minnesota Statutes 1981 Supplement, Sections 205.03; 205.10; 205.11, Subdivision 4a; 205.121; 205.14, Subdivision 4; and 205.15.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1844 was reported to the House.

Mehrkens moved that H. F. No. 1844 be continued on Special Orders for one day. The motion prevailed.

S. F. No. 16, A bill for an act relating to probate; changing certain time limits and procedures for a personal representative to file an inventory and appraisalment; amending Minnesota Statutes 1980, Section 524.3-706.

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

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

Those who voted in the affirmative were:

Aasness	Berkelman	Clark, J.	Drew	Ewald
Ainley	Blatz	Clark, K.	Eken	Fjoslien
Anderson, B.	Brandl	Clawson	Elioff	Forsythe
Anderson, G.	Brinkman	Dahlvang	Ellingson	Frerichs
Anderson, I.	Byrne	Dean	Erickson	Greenfield
Battaglia	Carlson, D.	Dempsey	Esau	Gruenes
Begich	Carlson, L.	Den Ouden	Evans	Gustafson

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

The bill was passed and its title agreed to.

S. F. No. 786 was reported to the House.

Reding moved to amend S. F. No. 786, as follows:

Page 1, line 14, after "*the*" insert "*special fund of the relief association does not have a surplus over full funding pursuant to subdivision 3, clause (2), subclause (e), or if the*"

Page 1, line 27, after "*the*" insert "*special fund of the relief association has a surplus over full funding pursuant to subdivision 3, clause (2), subclause (e), and if the*"

Page 2, line 8, after "*not*" insert "*cause the amount of the resulting increase in the accrued liability of the special fund of the relief association to exceed 90 percent of the amount of the prior surplus over full funding and this does not*"

Page 2, line 30, after "*the*" insert "*special fund of the relief association does not have a surplus over full funding pursuant to subdivision 4, or if the*"

Page 3, line 3, after "*the*" insert "*special fund of the relief association has a surplus over full funding pursuant to subdivision 4, and if the*"

Page 3, line 10, after "*not*" insert "*cause the amount of the resulting increase in the accrued liability of the special fund of the relief association to exceed 90 percent of the amount of the prior surplus over full funding and this does not*"

Page 4, line 11, after "*the*" insert "*special fund of the relief association does not have a surplus over full funding pursuant to*"



sections 69.772, subdivision 3, clause (2), subclause (e), or 69.773, subdivision 4, and if the"

Page 5, line 1, after "not" insert "cause the amount of the resulting increase in the accrued liability of the special fund of the relief association to exceed 90 percent of the amount of the prior surplus over full funding and this does not"

The motion prevailed and the amendment was adopted.

S. F. No. 786, A bill for an act relating to retirement; volunteer firefighters relief association; authorizing relief associations to increase retirement benefit and service pension amounts without municipal ratification in certain instances; amending Minnesota Statutes 1980, Sections 69.772, Subdivision 6; 69.773, Subdivision 6; and 424A.02, Subdivision 10.

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 121 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Fersythe	Hokr	Nysether	Voss	Welker
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The bill was passed, as amended, and its title agreed to.

S. F. No. 787, A bill for an act relating to retirement; volunteer firefighters relief association; financing and benefit amounts; amending Minnesota Statutes 1980, Sections 69.772, Subdivision 2a; 424.01; 424.02; 424.04; 424.16; 424.17; and 424A.02, Subdivisions 3, 7 and 9.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1878, A bill for an act relating to state historic sites; the Old Federal Courts building; amending Minnesota Statutes 1980, Section 138.56, Subdivision 7.

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

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

Those who voted in the affirmative were:

Aasness	Anderson, G.	Begich	Brandl	Carlson, D.
Ainley	Anderson, I.	Berkelman	Brinkman	Carlson, L.
Anderson, B.	Battaglia	Blatz	Byrne	Clark, J.

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

The bill was passed and its title agreed to.

S. F. No. 1644 was reported to the House.

Heap moved that S. F. No. 1644 be continued on Special Orders for one day. The motion prevailed.

S. F. No. 1687, A bill for an act relating to Ramsey county; providing for the organization, powers and duties of the Saint Paul-Ramsey Medical Center commission; permitting the issuance of revenue bonds; amending Laws 1974, Chapter 435, Section 3.14, as amended.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Ludeman      Welker

The bill was passed and its title agreed to.

### SPECIAL ORDERS

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

### GENERAL ORDERS

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

### MOTIONS AND RESOLUTIONS

Rodriguez, C., moved that the name of Haukoos be added as an author on H. F. No. 1115. The motion prevailed.

Long moved that the name of Munger be added as an author on H. F. No. 1934. The motion prevailed.

Luknic moved that her name be stricken as an author on H. F. No. 950. The motion prevailed.

Peterson, D., moved that S. F. No. 1740 be recalled from the Committee on General Legislation and Veterans Affairs and together with H. F. No. 1296, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Peterson, D., moved that S. F. No. 1207 be recalled from the Committee on Commerce and Economic Development and together with H. F. No. 2147, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Aasness moved that H. F. No. 166 be returned to its author. The motion prevailed.

O'Connor moved that H. F. No. 1545 be returned to its author. The motion prevailed.

Dempsey moved that H. F. No. 342 be returned to its author. The motion prevailed.

Shea moved that H. F. No. 2139 be returned to its author. The motion prevailed.

Gruenes moved that H. F. No. 2226 be returned to its author. The motion prevailed.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1872:

Anderson, I.; Eken; Evans; Jacobs and Sieben, H.

#### ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 1:00 p.m., Tuesday, March 9, 1982. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:00 p.m., Tuesday, March 9, 1982.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

