

STATE OF MINNESOTA

SEVENTY-SECOND SESSION - 1982

EIGHTY-FIFTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 9, 1982

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

Prayer was offered by Reverend Gary F. Anderson, All Saints Lutheran Church, Minnetonka, Minnesota.

The roll was called and the following members were present:

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	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.	Schafer	Wigley
Elioff	Johnson, D.	Niehaus	Schoenfeld	Wynia
Ellingson	Jude	Norton	Schreiber	Zubay
Erickson	Kahn	Novak	Shea	Spkr. Sieben, H.

A quorum was present.

Anderson, R.; Levi and Searles were excused.

Mann was excused until 6:15 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Niehaus moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1505, 376, 1840, 400, 1025, 1477, 1691, 1702, 1789, 1826, 2123, 1099, 1757, 1815, 1115, 1542, 1811, 1946, 2040, 2005, 2190, 1798, 1982, 1897, 352, 1887 and 1894 and S. F. Nos. 2035, 1818, 1840, 1894, 1684, 1670, 1886, 1888, 2048, 2062, 1522, 1640, 1677, 1715, 1758, 1809, 1907, 1949, 1950, 2000, 2141, 1078, 1908, 1631, 1967, 518, 1955, 276, 63, 929, 1022, 1207, 1221, 1421, 1523, 1541, 1561, 2006, 2121, 1966, 2125, 1487, 1630, 1869, 1957, 1706, 1623, 1747, 2111, 1588, 19, 1740, 1987, 1825, 2030, 744, 1398, 1499, 411, 1239, 1879 and 1671 have been placed in the members' files.

S. F. No. 1631 and H. F. No. 2125, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Stumpf moved that S. F. No. 1631 be substituted for H. F. No. 2125 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2062 and H. F. No. 2167, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Gruenes moved that S. F. No. 2062 be substituted for H. F. No. 2167 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2048 and H. F. No. 2117, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Battaglia moved that S. F. No. 2048 be substituted for H. F. No. 2117 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1078 and H. F. No. 1440, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Lemen moved that S. F. No. 1078 be substituted for H. F. No. 1440 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1566 and H. F. No. 1816, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Peterson, B., moved that S. F. No. 1566 be substituted for H. F. No. 1816 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1758 and H. F. No. 1758, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Kelly moved that S. F. No. 1758 be substituted for H. F. No. 1758 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1747 and H. F. No. 1838, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Begich moved that the rules be so far suspended that S. F. No. 1747 be substituted for H. F. No. 1838 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1955 and H. F. No. 1870, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Voss moved that the rules be so far suspended that S. F. No. 1955 be substituted for H. F. No. 1870 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1677 and H. F. No. 1738, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Voss moved that the rules be so far suspended that S. F. No. 1677 be substituted for H. F. No. 1738 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 518 and H. F. No. 541, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Osthoff moved that the rules be so far suspended that S. F. No. 518 be substituted for H. F. No. 541 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1684 and H. F. No. 1916, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Johnson, D., moved that the rules be so far suspended that S. F. No. 1684 be substituted for H. F. No. 1916 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1967 and H. F. No. 2132, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Ogren moved that the rules be so far suspended that S. F. No. 1967 be substituted for H. F. No. 2132 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1522 and H. F. No. 1620, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Brinkman moved that the rules be so far suspended that S. F. No. 1522 be substituted for H. F. No. 1620 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2006 and H. F. No. 2148, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Greenfield moved that the rules be so far suspended that S. F. No. 2006 be substituted for H. F. No. 2148 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1907 and H. F. No. 2059, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Jacobs moved that the rules be so far suspended that S. F. No. 1907 be substituted for H. F. No. 2059 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1715 and H. F. No. 1791, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Long moved that the rules be so far suspended that S. F. No. 1715 be substituted for H. F. No. 1791 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 412 and H. F. No. 1997, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Wynia moved that the rules be so far suspended that S. F. No. 412 be substituted for H. F. No. 1997 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1670 and H. F. No. 1896, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Ellingson moved that the rules be so far suspended that S. F. No. 1670 be substituted for H. F. No. 1896 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1640 and H. F. No. 1736, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Ellingson moved that the rules be so far suspended that S. F. No. 1640 be substituted for H. F. No. 1736 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2000 and H. F. No. 1890, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Ellingson moved that the rules be so far suspended that S. F. No. 2000 be substituted for H. F. No. 1890 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 674, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; removing certain restrictions on highway bonds.

Reported the same back with the following amendments:

Page 2, after line 6, insert a new section to read:

"Sec. 3. [BALLOT QUESTION.]

Notwithstanding any law or rule to the contrary, the ballot question in section 2 shall immediately follow the first question placed on the ballot and submitted to the people at the 1982 general election. This section is effective the day following final enactment."

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. 1727, A bill for an act relating to courts; proposing an amendment to the Minnesota Constitution, Article VI, Sections 1, 2, 5 and 6; providing for a court of appeals; providing for election of judges; conferring certain powers and duties on the court of appeals; amending Minnesota Statutes 1980, Sections 480.01; 484.63; 487.39, Subdivisions 1 and 2; 488A.01, Subdivision 14; and Minnesota Statutes 1981 Supplement, Sections 204B.06, Subdivision 6; 204B.34, Subdivision 3; proposing new law coded as Minnesota Statutes, Chapter 480A; repealing Minnesota Statutes 1980, Sections 80A.24, Subdivision 3; 363.10; 473.597; and 525.74.

Reported the same back with the following amendments:

Page 2, line 9, delete "*over all courts, except the supreme*"

Page 2, line 10, delete "*court, and other appellate jurisdiction*"

Page 3, line 12, delete "*Until*" and insert "*On*"

Page 6, line 21, delete "*other than purely formal matters*"

Page 7, line 19, after "*certiorari*" insert "*to review decisions of the commissioner of economic security*"

Page 7, delete lines 20 and 21

Page 9, line 32, after "*appeals*" insert a comma

Page 12, after line 33, insert a new section to read:

"Sec. 21. [632.14] [APPEALS IN FIRST DEGREE MURDER CASES.]

A person who has been convicted of murder in the first degree may appeal directly from the district court to the supreme court. The appeal may include other charges against the same defendant which were tried in the same trial as the first degree murder charge. The rules of appellate procedure shall provide the form of appeal."

Page 14, line 13, delete "*Section 124.212,*" and "*Section 270.076,*"

Page 14, line 14, delete "*Subdivision 17*" and "*Subdivision 2*"

Page 14, line 16, delete "*Section 271.09,*"

Page 14, line 17, delete "*Subdivision 1*"

Page 14, line 18, delete "*Section 271.12*"

Page 14, line 20, delete "*Section 271.19*"

Page 14, line 26, delete "*Section 271.01,*"

Page 14, line 27, delete "*Subdivision 5*"

Page 14, line 28, delete "*Section 271.07*"

Page 14, line 31, delete "*Section 271.10,*"

Page 14, line 32, delete "*Subdivisions*"

Page 14, line 33, delete "*1 and 2*"

Page 14, line 36, delete "*Section 290.65,*"

Page 15, line 1, delete "*Subdivision 9*"

Page 16, line 34, delete "*all other sections of this act*" and insert "*sections 8 to 26*"

Page 17, after line 8, insert a new section to read:

"Sec. 28. [BALLOT QUESTION.]

Notwithstanding any law or rule to the contrary, the ballot question in section 2 shall immediately precede any other questions placed on the ballot and submitted to the people at the 1982 general election. This section is effective the day following final enactment."

Renumber the sections

Amend the title as follows:

Page 1, line 11, delete "Chapter" and insert "Chapters" and after the semicolon insert "and 632;"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 674 and 1727 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1631, 2062, 2048, 1078, 1566, 1758, 1747, 1955, 1677, 518, 1684, 1967, 1522, 2006, 1907, 1715, 412, 1670, 1640 and 2000 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

McEachern, Rice, Niehaus, Evans and Anderson, I., introduced:

H. F. No. 2285, A resolution memorializing the order of the Knights of Columbus in commemoration of the one hundredth anniversary of its founding.

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

Greenfield; Kelly; Rodriguez, F.; Vellenga and Staten introduced:

H. F. No. 2286, A bill for an act relating to crimes; increasing penalties for certain crimes when committed with intent to cause fear for personal safety because of the victim's race, color, religion, or national origin; amending Minnesota Statutes 1980, Sections 609.595, Subdivision 1; and 609.713.

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

Berkelman and Heinitz introduced:

H. F. No. 2287, A bill for an act relating to health; requiring licensing of certain home health agencies; directing the department of health to regulate home health agencies; establishing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 144A.51, by adding a subdivision; 144A.52, Subdivision 3; 144A.53; and 144A.54, Subdivision 1; proposing new law coded as Minnesota Statutes, Chapter 144B.

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

Vellenga, Jude, Gustafson and Schafer introduced:

H. F. No. 2288, A bill for an act relating to Minnesota Statutes; standardizing the form of references to the United States Code, the Code of Federal Regulations, and miscellaneous other foreign publications; correcting obsolete forms of reference to Minnesota laws; replacing requirements that certain officers comply with provisions of law previously repealed with the text of the provisions with which they must comply; removing references to certain obsolete compilations of law; replacing references to certain obsolete compilations of law with their current equivalents; updating references to federal law and regulations to the most recent enactment; amending Minnesota Statutes 1980, Sections 4.073; 9.36, Subdivisions 1 and 2; 15.15; 15.162, Subdivision 5; 15.1693, Subdivisions 2 and 4; 16.011; 16A.17, Subdivision 1; 16A.35; 17.694, Subdivision 3; 17A.05, Subdivisions 1 and 2; 18A.21, Subdivision 15; 21.49, Subdivision 1; 31.01, Subdivisions 30 and 32; 31.101, Subdivisions 7, 8 and 28; 31.103, Subdivision 1; 31A.02, Subdivisions 17 and 18; 40.01, Subdivision 13; 40.07, Subdivision 14; 40.072, Subdivision 3; 48.24, Subdivision 6; 48.245; 48.56; 48.59, Subdivision 3; 48.605, Subdivision 1; 48.63; 50.24; 51A.37, Subdivision 3; 54.27, Subdivision 1; 60A.21, Subdivision 1; 61A.245, Subdivision 2; 61A.25, Subdivision 4; 62D.22, Subdivision 4; 62D.30, Subdivision 1; 62E.02, Subdivision 15; 65A.32; 72A.13, Subdivision 2; 72A.17; 72A.33; 72A.40; 84.027, Subdivisions 4, 5 and 6; 84.523, Subdivision 1; 84.43, Subdivision 2; 84B.01, Subdivision 1; 85.33, Sub-

division 2; 88.37; 88.38; 88.40; 88.41; 90.50, Subdivision 1; 92.-163, Subdivision 2; 98.47, Subdivisions 8 and 17; 100.29, Subdivision 32; 104.08, Subdivision 1; 104.25, Subdivisions 1 and 2; 104.39; 105.401, Subdivision 2; 111.35; 115.03, Subdivisions 1, 6 and 7; 115.44, Subdivision 5; 116.16, Subdivisions 2 and 10; 116I.05; 116I.06, Subdivision 4; 117.52; 117.53; 120.02, Subdivision 14; 120.83, Subdivision 1; 121.48, Subdivision 1; 123.35, Subdivision 12; 123.77, Subdivision 5; 123.932, Subdivision 3; 124.38, Subdivision 2; 124.615, Subdivision 1; 124.625; 124.645, Subdivision 1; 124.67; 124.68; 124.79; 129A.03; 136.43; 136.44; 136.45; 136.502; 136.55, Subdivision 1; 136.67, Subdivision 2; 136.70, Subdivision 1; 138.081, Subdivisions 2 and 3; 139.19, Subdivision 2; 144.10; 145.08, Subdivision 4; 145.61, Subdivision 5; 145.833, Subdivisions 7, 9, 10 and 11; 145.835, Subdivision 4; 145.837, Subdivision 2; 145.838, Subdivision 2; 151.01, Subdivision 21; 152.02, Subdivision 4; 152.21, Subdivision 5; 154.16; 160.276, Subdivision 3; 160.278, Subdivision 1; 161.242, Subdivision 6; 161.433, Subdivision 1; 168.27, Subdivision 12; 173.01; 173.04, Subdivision 5; 173.185, Subdivision 1; 174.245, Subdivision 2; 176.041, Subdivision 1; 177.23, Subdivision 7; 178.03, Subdivisions 3 and 4; 181.73, Subdivision 2; 181A.11; 181B.02, Subdivision 7; 181B.07; 182.651, Subdivision 8; 192.261, Subdivision 5; 192.261, Subdivision 6; 192A.015; 216A.11, Subdivision 2; 216A.12; 216B.165, Subdivisions 1 and 2; 222.48, Subdivision 7; 237.03; 243.51, Subdivision 2; 243.88, Subdivision 2; 245.-70; 256B.065; 256B.22; 256D.36, Subdivision 1; 268.04, Subdivisions 12 and 25; 268.06, Subdivisions 1, 4, 5, 28 and 32; 268.071, Subdivision 1; 268.09, Subdivisions 4 and 7; 268.12, Subdivisions 11 and 12; 268.14, Subdivision 6; 268.23; 268.37, Subdivision 2; 268.40, Subdivision 1; 273.1105, Subdivision 2; 273.52; 281.-275; 281.39; 282.01, Subdivision 9; 282.14; 290.36; 296.28; 299A.03, Subdivision 6; 299C.50; 299F.56, Subdivision 2; 299F.-60, Subdivision 3; 299F.63, Subdivision 3; 302.021, Subdivision 1; 308.08; 309.515, Subdivision 1; 315.12; 317.165, Subdivision 1; 325A.01, Subdivision 5; 325F.10; 334.16, Subdivision 2; 347.-40; 352E.01, Subdivision 4; 354A.021, Subdivisions 1, 2 and 5; 355.01, Subdivision 9; 355.47, Subdivision 2; 356.454; 360.0161, Subdivision 2; 360.075, Subdivision 1; 360.55, Subdivision 3; 360.59, Subdivision 10; 362.41, Subdivision 3; 373.39; 375.471; 458.192, Subdivision 13; 462.445, Subdivision 5; 462A.21, Subdivision 7; 471.615; 471.655; 472.03, Subdivisions 11 and 13; 473.-141, Subdivision 14; 473.568, Subdivision 1; 473F.06; 501.115, Subdivisions 1 and 3; 501.74; 524.3-916; 525.528; 540.153; 571.-35, Subdivision 2; 580.15; 600.24; 624.71, Subdivisions 1 and 2; 626.557, Subdivision 2; 626A.02, Subdivision 2; 645.31, Subdivision 2; Minnesota Statutes 1981 Supplement, Sections 9.061, Subdivision 2; 17.72; 47.20, Subdivision 2; 47.203; 47.204, Subdivision 1; 48.06; 60A.17, Subdivision 13; 61A.281, Subdivision 4; 62A.21, Subdivision 2b; 97.461, Subdivision 1; 97.488, Subdivision 2; 105.416, Subdivision 2; 111.11; 115A.24, Subdivision 2; 116.18, Subdivision 1; 116H.02, Subdivision 3; 116H.09, Subdivision 1; 116H.129, Subdivisions 2, 5 and 7; 116H.17; 116H.23; 136.87, Subdivision 1; 144.55, Subdivision 3; 144.704, Subdivi-

sion 2; 144.801, Subdivision 8; 145.834; 145.845; 145.97; 161.242, Subdivision 4; 168.013, Subdivisions 1a and 1e; 169.44, Subdivision 14; 169.974, Subdivision 2; 176.111, Subdivision 21; 176.132, Subdivision 2; 181.90; 183.465; 190.05, Subdivisions 1 and 7; 192.11; 204D.11, Subdivision 4; 216B.164, Subdivisions 2 and 3; 257.071, Subdivision 4; 273.13, Subdivision 7; 290.01, Subdivision 20; 290.09, Subdivision 5; 290.091; 290.132, Subdivision 2; 290.92, Subdivision 16; 290.971, Subdivision 7; 290A.03, Subdivision 3; 291.05; 297A.01, Subdivision 3; 297A.25, Subdivision 1; 303.02, Subdivision 3; 326.243; 327.20, Subdivision 1; 327.32, Subdivision 8; 327.35, Subdivision 7; 334.061; 352.115, Subdivision 10; 353.37, Subdivision 1; 353.64, Subdivision 7; 354A.31, Subdivision 3; 354.44, Subdivisions 1a and 5; 354A.21; 462C.05, Subdivision 1; 462C.10; 500.24, Subdivisions 2 and 3; 501.76, Subdivision 1; 609.52, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 111.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

Clark, J.; Vanasek; Nelson, K.; Hokanson and Pogemiller introduced:

H. A. No. 64, A proposal to study the feasibility for increased penalties for certain crimes against minors.

The advisory was referred to the Committee on Criminal Justice.

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 acted upon immediately preceding Special Orders pending for Tuesday, March 9, 1982:

H. F. Nos. 1099, 1542, 400, 1025, 1115, 1477, 1702, 1757, 1789, 1798, 2005, 2123 and 2190 and S. F. Nos. 411, 1239, 1398, 1499, 1671 and 1910 and H. F. Nos. 1811, 1840, 1887, 2040 and 352.

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. 1231, A bill for an act relating to state lands; directing conveyance of certain lands in Washington County.

H. F. No. 1235, A bill for an act relating to state lands; authorizing the conveyance by the state of its interest in certain lands in Lyon County and Wright County.

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

H. F. No. 1720, A bill for an act relating to retirement; recognizing service covered by multiple retirement funds for entitlement to a disability benefit; proposing new law coded in Minnesota Statutes, Chapter 356.

H. F. No. 1795, A bill for an act relating to the city of Minneapolis; changing limitations on housing programs in two Minneapolis development districts; amending Laws 1971, Chapter 677.

H. F. No. 1906, A bill for an act relating to local government; allowing the city of Orr and the town of Leiding to assess the cost of maintenance of television relay service.

H. F. No. 2073, A bill for an act relating to resource recovery; permitting the use of waste oil burners in certain gasoline stations and garages; proposing new law coded in Minnesota Statutes, Chapter 299F.

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. 492, A bill for an act relating to crimes; authorizing counties to expend money for the purpose of investigating criminal activity relating to selling or receiving stolen property; proposing new law coded in Minnesota Statutes, Chapter 299C.

PATRICK E. FLAHAVEN, Secretary of the Senate

Vanasek moved that the House refuse to concur in the Senate amendments to H. F. No. 492, that the Speaker appoint a Con-

ference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

H. F. No. 1602, A bill for an act relating to counties; providing for meetings of the county board of commissioners; amending Minnesota Statutes 1980, Section 375.07.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Anderson, B., moved that the House concur in the Senate amendments to H. F. No. 1602 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1602, A bill for an act relating to counties; providing for meetings of the county board of commissioners; amending Minnesota Statutes 1980, Sections 375.07; and 375.13.

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 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Simoneau	Svigum	Vanasek	Welker	Zubay
Skoglund	Swanson	Vellenga	Wenzel	Spkr. Sieben, H.
Staten	Tomlinson	Voss	Wieser	
Stowell	Valan	Weaver	Wigley	
Stumpf	Valento	Welch	Wynia	

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. 1120, A bill for an act relating to public safety; authorizing the sale to and use by engineers of fireworks; amending Minnesota Statutes 1980, Section 624.21.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Ewald moved that the House concur in the Senate amendments to H. F. No. 1120 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1120, A bill for an act relating to public safety; authorizing the sale to and use by engineers of fireworks; amending Minnesota Statutes 1980, Section 624.21.

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

Osthoff	Rice	Shea	Stumpf	Weaver
Otis	Rodriguez, C.	Sherman	Sviggum	Welch
Peterson, B.	Rodriguez, F.	Sherwood	Swanson	Welker
Peterson, D.	Rothenberg	Sieben, M.	Tomlinson	Wenzel
Piepho	Samuelson	Simoneau	Valan	Wieser
Pogemiller	Sarna	Skoglund	Valento	Wigley
Redalen	Schafer	Stadum	Vanasek	Wynia
Reding	Schoenfeld	Staten	Vellenga	Zubay
Rees	Schreiber	Stowell	Voss	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. 1366, A bill for an act relating to liens for improvements made to real property; prescribing notice requirements to owners by subcontractors; defining owner; amending Minnesota Statutes 1980, Section 514.011, Subdivisions 2 and 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Jude moved that the House concur in the Senate amendments to H. F. No. 1366 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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. 1622, A bill for an act relating to state lands; providing for the transfer of ownership to meet donors' intent.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Piepho moved that the House concur in the Senate amendments to H. F. No. 1622 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1622, A bill for an act relating to state lands; providing for the transfer of ownership of certain state land to the Mankato State University Foundation.

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 122 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Lehto

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. 1713, A bill for an act relating to St. Louis county; providing for the calculation of vacation and sick leave allowances of certain employees.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Elioff moved that the House concur in the Senate amendments to H. F. No. 1713 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1713, A bill for an act relating to St. Louis county; providing for the calculation of vacation and sick leave allowances of certain employees.

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	Erickson	Kaley	Nysether	Sherman
Ainley	Esau	Kalis	O'Connor	Sherwood
Anderson, B.	Evans	Kelly	Ogren	Sieben, M.
Anderson, G.	Ewald	Knickerbocker	Olsen	Simoneau
Anderson, I.	Fjoslien	Kostohryz	Onnen	Skoglund
Battaglia	Forsythe	Kvam	Osthoff	Staten
Begich	Frerichs	Lehto	Otis	Stowell
Berkelman	Greenfield	Lemen	Peterson, B.	Stumpf
Blatz	Gruenes	Long	Peterson, D.	Sviggun
Brandl	Gustafson	Ludeman	Piepho	Swanson
Brinkman	Halberg	Luknic	Pogemiller	Tomlinson
Byrne	Hanson	Marsh	Redalen	Valan
Carlson, D.	Hauge	McCarron	Reding	Valento
Carlson, L.	Haukoos	McDonald	Rees	Vanasek
Clark, J.	Heap	McEachern	Rice	Vellenga
Clark, K.	Heinitz	Mehrkens	Rodriguez, C.	Voss
Clawson	Himle	Metzen	Rodriguez, F.	Weaver
Dahlvang	Hoberg	Minne	Rose	Welch
Dean	Hokanson	Munger	Rothenberg	Welker
Dempsey	Hokr	Murphy	Samuelson	Wenzel
Den Ouden	Jacobs	Nelsen, B.	Sarna	Wieser
Drew	Johnson, C.	Nelson, K.	Schafer	Wigley
Eken	Johnson, D.	Niehaus	Schoenfeld	Wynia
Elioff	Jude	Norton	Schreiber	Zubay
Ellingson	Kahn	Novak	Shea	Sprk. 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. 2078, A bill for an act relating to state government; authorizing the commissioner of the department of economic security to delegate certain powers; amending Minnesota Statutes 1980, Section 268.011, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sviggun moved that the House concur in the Senate amendments to H. F. No. 2078 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

The bill was read for the 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 124 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

McEachern

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. 1726, A bill for an act relating to education; removing the commissioner of education from the state university board and as secretary of the board; allowing community college and state university teachers to accrue seniority credit during extended leaves of absence; amending Minnesota Statutes 1980, Sections 136.12, Subdivision 1; 136.13; and 136.88, Subdivision 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Elioff moved that the House concur in the Senate amendments to H. F. No. 1726 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1726, A bill for an act relating to education; removing the commissioner of education from the state university board and as secretary of the board; allowing teachers at a community college or state university to accrue seniority during a leave of absence; amending Minnesota Statutes 1980, Sections 136.12, Subdivision 1; 136.13; and 136.88, Subdivision 5.

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

The question was taken on the repassage of the bill and the roll was called. There were 104 yeas and 16 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Den Ouden	Hokr	Nelsen, B.	Valento	Wigley
Esau	Jennings	Niehaus	Welker	Zubay
Halberg	Kvam	Onnen		
Haukoos	Mehrkena	Shea		

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. 1955, A bill for an act relating to the city of Waconia; authorizing the sale of certain revenue bonds at a price less than par value and authorizing the maturity schedule to be determined by municipal resolution.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

McDonald moved that the House concur in the Senate amendments to H. F. No. 1955 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1955, A bill for an act relating to the city of Waconia; authorizing the sale of certain revenue bonds at a price less than par value and in an amount and with a maturity date to be determined by the governing body.

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 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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. 253, A bill for an act relating to state lands and tax-forfeited land sales; changing the interest rate on unpaid sale balances; amending Minnesota Statutes 1980, Sections 92.06, Subdivision 1; 94.11; 282.01, Subdivision 4; 282.15; 282.222, Subdivision 4; 282.261; and 282.35, Subdivisions 2 and 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

Peterson, B., moved that the House concur in the Senate amendments to H. F. No. 253 and that the bill be re-passed as amended by the Senate.

Sarna moved that the House refuse to concur in the Senate amendments to H. F. No. 253, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

H. F. No. 1712, A bill for an act relating to public welfare; amending the community social services act; removing certain requirements related to biennial plans and the sliding fee for child care; providing for identification of certain rules; exempting the commissioner from certain rulemaking procedures; providing for notice and comment procedures with respect to proposals to amend or repeal certain rules; providing for allocation of funds to counties; amending Minnesota Statutes 1980, Section 256E.09, Subdivision 4; Minnesota Statutes 1981 Supplement, Sections 245.84, Subdivision 2; 256E.03, Subdivision 2; 256E.05, Subdivision 3; and 256E.07, Subdivision 3; repealing Minnesota Statutes 1981 Supplement, Section 256E.07, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kaley moved that the House refuse to concur in the Senate amendments to H. F. No. 1712, that the Speaker appoint a Conference Committee of 3 members of the House, and that the

House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

S. F. No. 1856, A bill for an act relating to state government; improving the state's personnel management functions; amending Minnesota Statutes 1980, Sections 6.582; 11A.07, Subdivision 4; 12.04, Subdivision 1; 15.0575, Subdivision 3; 15.059, Subdivision 3; 15.43, Subdivision 1; 60B.09, Subdivision 2; 84.028, Subdivision 3; 84.081, Subdivision 1; 85A.03, Subdivision 2; 124.645, Subdivision 3; 128A.02, Subdivision 3; 136A.55, Subdivision 4; 144A.52, Subdivision 2; 168.325, Subdivision 1; 171.015, Subdivision 1; 216A.04, Subdivision 3; 241.64, Subdivision 3; 241.65; 246.017, Subdivision 2; 299E.01, Subdivision 1; 299F.01, Subdivision 2; and 352D.02, by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 3.855, Subdivision 3; 43A.02, Subdivision 28; 43A.04, Subdivisions 3, 4, and by adding a subdivision; 43A.05, Subdivision 4; 43A.08, Subdivisions 1, 3, and by adding subdivisions; 43A.11, Subdivisions 3, 4, 7 and 8; 43A.13, Subdivisions 1, 4 and 5; 43A.15, Subdivisions 6 and 10; 43A.17, Subdivision 4; 43A.18, Subdivisions 3 and 4; 43A.19, Subdivision 1; 43A.27, Subdivision 3; 43A.33, Subdivisions 1, 3 and 4; 43A.37, Subdivision 1; 43A.38; 43A.39; 43A.41, Subdivision 4; 43A.42; 43A.44, Subdivision 2; 124.41, Subdivision 3; 254A.03, Subdivision 1; 352D.02, Subdivision 1; and 462A.04, Subdivision 8; Laws 1971, Extra Session, Chapter 3, Section 19, Subdivision 5; Laws 1980, Chapter 564, Article XII, Section 1, Subdivision 6; Laws 1981, Chapter 210, Section 55; repealing Minnesota Statutes 1980, Sections 12.05; 124.615, Subdivision 3; 190.081; and 190.095; and Minnesota Statutes 1981 Supplement, Section 43A.08, Subdivision 2.

And the Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Messrs. Spear, Ashbach and Nelson.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Simoneau moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 1856. The motion prevailed.

Mr. Speaker:

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

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

And the Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Ms. Berglin, Messrs. Peterson, R. W., and Ramstad.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Wynia moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 378. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 552, A bill for an act relating to commerce; prohibiting fraud in the use of recreational camping areas; providing a penalty; amending Minnesota Statutes 1980, Sections 327.07; and 327.14, Subdivision 8.

The Senate has appointed as such committee Messrs. Peterson, R. W., Bernhagen and Dahl.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

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.

The Senate has appointed as such committee Messrs. Dieterich, Merriam, Hughes, Langseth and Rued.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 1872, A bill for an act relating to the financing of government in this state; extending the effective date of resi-

dential 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 com-

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 Supplement, 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.

The Senate has appointed as such committee Messrs. Johnson and Hanson, Ms. Berglin, Messrs. Setzepfandt and Sieloff.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1838, 276 and 1666.

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. 1842 and 1588.

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. 1859.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1838, 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.

The bill was read for the first time.

Rees moved that S. F. No. 1838 and H. F. No. 1946, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 276, A bill for an act relating to health; establishing an advisory task force on the use of state facilities in lieu of reimbursing private facilities for some purposes; appropriating money.

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

S. F. No. 1666, A bill for an act relating to legal services; providing for a surcharge on civil filing fees; authorizing the supreme court to appoint an advisory committee; authorizing the distribution of the surcharge funds to qualified programs providing legal services to certain persons; requiring a report to the legislature; proposing new law coded in Minnesota Statutes, Chapter 480.

The bill was read for the first time.

Wynia moved that S. F. No. 1666 and H. F. No. 1826, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1842, A bill for an act relating to transportation; establishing a highway maintenance cost containment council.

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

S. F. No. 1588, A bill for an act relating to state and local government organization and relations; creating an advisory council on local government; prescribing its duties; proposing new law coded as Minnesota Statutes, Chapter 15B.

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

S. F. No. 1859, A bill for an act relating to forestry; establishing a forest resource management policy and plan; realignment of forestry boundaries; establishing a forest management fund and accounting system; changing certain procedures for timber sales from state and tax-forfeited lands; extending certain timber permits; making various changes in forestry laws; amending Minnesota Statutes 1980, Sections 16A.125, Subdivision 5; 89.001, and 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, Subdivisions 1 and 4; 197.447; 282.01, Subdivisions 1 and 3; 282.02; and 282.132; Minnesota Statutes 1981 Supplement, Section 282.04, Subdivision 1; Laws 1981,

Chapter 305, Section 11; 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.

The bill was read for the first time.

Anderson, I., moved that S. F. No. 1859 and H. F. No. 1982, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1712:

Kaley, McCarron and Samuelson.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 492:

Gruenes, Vanasek and Lehto.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 253:

Peterson, B.; Sarna and Dahlvang.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1856:

Norton, Rose and Simoneau.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 378:

Wynia, Forsythe and Norton.

Forsythe was excused for the remainder of today's session. Olsen was excused between the hours of 2:00 and 3:45 p.m. Knickerbocker was excused between the hours of 2:30 and 4:30 p.m.

CONSENT CALENDAR

There being no objection pursuant to Senate Concurrent Resolution No. 9 the bill on the Consent Calendar was now considered.

S. F. No. 1589 was reported to the House.

Clark, K., moved to amend S. F. No. 1589, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 260.015, Subdivision 16, is amended to read:

Subd. 16. "Secure detention facility" means a physically restricting (DETENTION) facility, including *but not limited to a jail, a hospital, a state institution, a residential treatment center, or a detention home used for the temporary care of a child pending court action.*

Sec. 2. Minnesota Statutes 1980, Section 260.015, Subdivision 17, is amended to read:

Subd. 17. "Shelter care facility" means a physically unrestricting facility, such as *but not limited to, a hospital, a group home or a licensed facility for foster care, (EXCLUDING A DETENTION HOME) used for the temporary care of a child pending court action.*

Sec. 3. Minnesota Statutes 1980, Section 260.171, Subdivision 2, is amended to read:

Subd. 2. If the child is not released as provided in subdivision 1, the person taking the child into custody shall notify the court as soon as possible of the detention of the child and the reasons for detention. *Except a child taken into custody pursuant to section 260.165, subdivision 1, clause (a) or (c)(2), no child may be detained in a secure detention facility or a shelter care facility longer than 24 hours, excluding Saturdays, Sundays and holidays, (AFTER THE TAKING INTO CUSTODY) unless an order for detention, specifying the reason for detention, is signed by the judge or referee. No child may be (HELD) detained in a secure detention facility or shelter care facility longer than 36 hours, excluding Saturdays, Sundays or holidays, after (THE TAKING) being taken into custody for a delinquent act as defined in section 260.015, subdivision 5, unless a petition has been filed and the judge or referee determines pursuant to section 260.172 that the child shall remain in detention.*

No child taken into custody pursuant to section 260.165, subdivision 1, clause (a) or (c)(2) may be held in a shelter care facility longer than 72 hours, excluding Saturdays, Sun-

days and holidays, unless a petition has been filed and the judge or referee determines pursuant to section 260.172 that the child shall remain in custody.

If a child described in section 260.173, subdivision 4, is to be detained in a jail beyond 48 hours, the judge or referee, in accordance with rules and procedures established by the commissioner of corrections, shall notify the commissioner of the place of the detention and the reasons therefor. The commissioner shall thereupon assist the court in the relocation of the child in an appropriate *secure* detention facility or approved jail within the county or elsewhere in the state, or in determining suitable alternatives. The commissioner shall direct that a child detained in a jail be detained after eight days from and including the date of the original detention order in an approved (JUVENILE) *secure* detention facility with the approval of the administrative authority of the facility. If the court refers the matter to the prosecuting authority pursuant to section 260.125, notice to the commissioner shall not be required.

Sec. 4. Minnesota Statutes 1980, Section 260.171, Subdivision 4, is amended to read:

Subd. 4. If the person who has taken the child into custody determines that the child should be placed in a *secure* detention facility or a *shelter care facility*, he shall advise the child and as soon as is possible, the child's parent, guardian, or custodian:

(a) of the reasons why the child has been taken into custody and why he is being placed in a *secure* detention facility or a *shelter care facility*; and

(b) of the location of the *secure* detention facility or *shelter care facility*. *If there is reason to believe that disclosure of the location of the shelter care facility would place the child's health and welfare in immediate endangerment, disclosure of the location of the shelter care facility shall not be made; and*

(c) that the child's parent, guardian, or custodian and attorney or *guardian ad litem* may make an initial visit to the *secure* detention facility or *shelter care facility* at any time. Subsequent visits by a parent, guardian, or custodian may be made on a reasonable basis during visiting hours and by the child's attorney or *guardian ad litem* at reasonable hours; and

(d) that the child may telephone his parents and an attorney or *guardian ad litem* from the *secure* detention facility or *shelter care facility* immediately after being admitted to the (DETENTION) facility and thereafter on a reasonable basis to be determined by the director of the facility; and

(e) that the child may not be (HELD) *detained for acts as defined in section 260.015, subdivision 5 at (THE) a secure detention facility or shelter care facility longer than 36 hours, excluding Saturdays, Sundays and holidays, unless a petition has been filed within that time and the court orders the child's continued detention, pursuant to section 260.172; and*

(f) *that the child may not be detained pursuant to section 260.165, subdivision 1, clause (a) or (c)(2), at a shelter care facility longer than 72 hours, excluding Saturdays, Sundays and holidays, unless a petition has been filed within that time and the court orders the child's continued detention, pursuant to section 260.172.*

Sec. 5. Minnesota Statutes 1980, Section 260.171, Subdivision 5, is amended to read:

Subd. 5. If a child is to be detained (, THE) *in a secure detention facility (WHERE) or shelter care facility, the child (IS TO BE PLACED SHALL PROMPTLY PROVIDE FOR TRANSPORTATION OF THE CHILD TO THE FACILITY OR SECURE) shall be promptly transported to the facility in a manner approved by the facility or by securing a written transportation order from the court authorizing transportation by the sheriff or other qualified person. The person who has determined that the child should be detained shall deliver to the court and the supervisor of the secure detention facility or shelter care facility where the child is placed, a signed report, setting forth:*

- (a) *the time the child was taken into custody; and*
- (b) *the time the child was delivered for transportation to the secure detention facility or shelter care facility; and*
- (c) *the reasons why the child was taken into custody; and*
- (d) *the reasons why the child has been placed in detention; and*
- (e) *a statement that the child and his parent have received the notification required by subdivision 4 or the reasons why they have not been so notified; and*
- (f) *any instructions required by section 6.*

Sec. 6. Minnesota Statutes 1980, Section 260.171, is amended by adding a subdivision to read:

Subd. 5a. [SHELTER CARE; NOTICE TO PARENT.] *When a child is to be placed in a shelter care facility the person taking the child into custody or the court shall determine whether or not there is reason to believe that disclosure of the shelter*

care facility's location to the child's parent, guardian, or custodian would immediately endanger the health and welfare of the child. If there is reason to believe that the child's health and welfare would be immediately endangered, disclosure of the location shall not be made. This determination shall be included in the report required by subdivision 5, along with instructions to the shelter care facility to notify or withhold notification.

Sec. 7. Minnesota Statutes 1980, Section 260.171, Subdivision 6, is amended to read:

Subd. 6. (a) When a child has been delivered to a secure detention facility, the supervisor of the facility shall deliver to the court a signed report acknowledging receipt of the child stating the time of the child's arrival. The supervisor of the facility shall ascertain from the report of the person who has taken the child into custody whether the child and his parent, guardian, or custodian have received the notification required by subdivision 4. If the child or his parent, guardian or custodian, or both, have not been so notified, the supervisor of the facility shall immediately make the notification, and shall include in his report to the court a statement that notification has been received or the reasons why it has not.

(b) *When a child has been delivered to a shelter care facility, the supervisor of the facility shall deliver to the court a signed report acknowledging receipt of the child stating the time of the child's arrival. The supervisor of the facility shall ascertain from the report of the person who has taken the child into custody whether the child's parent, guardian or custodian has been notified of the placement of the child at the shelter care facility and its location, and the supervisor shall follow any instructions concerning notification contained in that report.*

Sec. 8. Minnesota Statutes 1980, Section 260.172, Subdivision 1, is amended to read:

Subdivision 1. *Except a child taken into custody pursuant to section 260.165, subdivision 1, clause (a) or (c)(2), a hearing shall be held within 36 hours of a child's being taken into custody, excluding Saturdays, Sundays and holidays, (A HEARING SHALL BE HELD) to determine whether the child should continue in detention. Within 72 hours of a child being taken into custody pursuant to section 260.165, subdivision 1, clause (a) or (c)(2), excluding Saturdays, Sundays and holidays, a hearing shall be held to determine whether the child should continue in custody. Unless there is reason to believe that the child would endanger himself or others, not return for a court hearing, not remain in the care or control of the person to whose lawful custody he is released, or that the child's health or welfare would be immediately endangered, the child shall be released to the custody of his parent, guardian, custodian or other suitable person.*

Sec. 9. [609.271] [SELLING OF CHILD.]

Subdivision 1. [PROHIBITED ACTS.] Whoever offers to transfer or transfers a child in exchange for money or any type of compensation, or in exchange for a promise to pay or deliver money or any type of compensation, is guilty of child selling and may be sentenced to imprisonment for not more than 20 years or to payment of a fine of not more than \$20,000, or both.

Subd. 2. [LICENSED OR CERTIFIED CHILD-PLACING AGENCY; COUNTY WELFARE DEPARTMENTS; COMMISSIONER OF PUBLIC WELFARE EXCEPTED.] Subdivision 1 does not apply to an agency licensed or certified by the commissioner of public welfare to place children for adoption, or to a county welfare or social services department, or to the commissioner of public welfare, acting in accordance with sections 259.21 to 259.45.

Subd. 3. [OTHER EXCEPTIONS.] Subdivision 1 does not apply to payments by a biological father, or person who reasonably believes he is the biological father, to a woman to compensate her for physical discomfort, pain and suffering, loss of income, medical expenses, legal expenses, or other expenses related to the woman's pregnancy, childbirth, or adoption of the child.

Subd. 4. [EXEMPTION FROM LIABILITY.] A person who pays, offers, or attempts to pay for a child is guilty of a misdemeanor.

Subd. 5. [BUYER'S LIABILITY.] A person who buys or attempts to buy a child, with intent to transfer the child, is punishable as provided in subdivision 1.

Sec. 10. Minnesota Statutes 1980, Section 609.341, Subdivision 9, is amended to read:

Subd. 9. "Physically helpless" means that a person is (UNCONSCIOUS, ASLEEP, OR FOR ANY OTHER REASON IS PHYSICALLY UNABLE TO COMMUNICATE UNWILLINGNESS TO ACT) (a) asleep or not conscious, (b) unable to withhold consent or to withdraw because of a physical condition, or (c) unable to communicate nonconsent and the condition is known or reasonably should have been known to the actor.

Sec. 11. [REPEALER.]

Minnesota Statutes 1980, Section 260.015, Subdivision 15, is repealed.

Sec. 12. [EFFECTIVE DATE.]

This act is effective the day following final enactment and applies to all crimes occurring on or after its effective date."

Delete the title and insert:

"A bill for an act relating to crimes; amending the definitions of shelter care facility and secure detention facility; extending the time limit for detaining children who may be dependent or neglected children; prohibiting the selling of children; prescribing penalties; clarifying the definition of physically helpless victims of criminal sexual conduct; amending Minnesota Statutes 1980, Sections 260.015, Subdivisions 16 and 17; 260.171, Subdivisions 2, 4, 5, and 6, and by adding a subdivision; 260.172, Subdivision 1; 609.341, Subdivision 9; proposing new law coded in Minnesota Statutes, Chapter 609; repealing Minnesota Statutes 1980, Section 260.015, Subdivision 15."

The motion prevailed and the amendment was adopted.

Pogemiller moved to amend S. F. No. 1589, the first engrossment, as amended, as follows:

Page 6, line 17 to 36 to page 7, line 1 to 6 delete Section 9 from the bill

Renumber succeeding sections accordingly

Amend the title as follows:

Page 7, line 27 and 28 of the Clark, K., amendment, delete "prohibiting the selling of children; prescribing penalties;"

Page 7, line 34 and 35 delete "proposing new law coded in Minnesota Statutes, Chapter 609;"

The motion prevailed and the amendment was adopted.

S. F. No. 1589, A bill for an act relating to crimes; clarifying the definition of physically helpless victims of criminal sexual conduct; amending Minnesota Statutes 1980, Section 609.341, Subdivision 9.

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

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

Those who voted in the affirmative were:

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

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

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

SPECIAL ORDERS

H. F. No. 1099 was reported to the House.

Ogren moved to amend H. F. No. 1099, the second engrossment, as follows:

Page 3, line 20, delete *"including any class 3B"* and insert *"which is class 3b"*

Page 8, line 20, delete *"1"* and insert *"2"*

Page 9, line 20, delete *"1"* and insert *"2"*

Page 9, line 34, delete *"1"* and insert *"2"*

Page 16, line 13, delete *"1"* and insert *"2"*

The motion prevailed and the amendment was adopted.

Stowell moved to amend H. F. No. 1099, the second engrossment, as amended, as follows:

Page 3, line 30, after *"died"* insert a comma

Page 3, line 31, after *"disability"* insert *"or permanent partial disability"*

Page 3, line 34, delete the comma and insert *": (a)"*

Page 4, line 4, before the period insert “; and (b) permanent partial disability” means a disability for which compensation would be payable under section 176.101, subdivision 3, whether or not the provisions of that section apply”

A roll call was requested and properly seconded.

CALL OF THE HOUSE

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

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

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

POINT OF ORDER

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

The question recurred on the Stowell amendment and the roll was called.

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

There were 61 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Aasness	Frerichs	Kvam	Piepho	Svigum
Ainley	Gruenes	Laidig	Redalen	Valan
Berkelman	Halberg	Lemen	Rees	Valento
Blatz	Haukoos	Ludeman	Reif	Voss
Carlson, D.	Heap	Luknic	Rose	Weaver
Dean	Heinitz	Marsh	Schafer	Welker
Dempsey	Himle	McDonald	Schoenfeld	Wieser
Den Ouden	Hoberg	Mehrkens	Schreiber	Wigley
Drew	Hokr	Nelsen, B.	Shea	Zubay
Erickson	Jennings	Niehaus	Sherman	
Esau	Johnson, D.	Nysether	Sherwood	
Ewald	Kaley	Onnen	Stadum	
Fjoslien	Kalis	Peterson, B.	Stowell	

Those who voted in the negative were:

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

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

Rose was excused between the hours of 2:45 and 3:45 p.m.

The Speaker called Wynia to the Chair.

Stowell moved to amend H. F. No. 1099, the second engrossment, as amended, as follows:

Page 14, line 15, strike "and"

Page 14, line 19, before the period insert "; and

(26) to the extent included in federal adjusted gross income, the amount of income or gains excluded under section 5"

Page 16, after line 22, insert:

"Sec. 5. [290.088]

Income or gains from the sale of agricultural land used for agricultural purposes which is designated class 3b as defined in section 273.13, subdivision 6, or 6a, without regard to the 240 acre limitation or class 3cc pursuant to section 273.13, sub-

division 7, or qualifies as a family farm corporation pursuant to section 500.24, subdivision 2, clause (c), or qualifies as an authorized farm corporation pursuant to section 500.24, subdivision 2, clause (d), at the time of its sale is exempt from taxes imposed under this chapter, if the purchaser intends to continue the agricultural use of the property. Compliance with the requirements for exclusion under this section shall be stated in an affidavit signed by both the seller and the purchaser and filed with the income tax return for the taxable year in which the income or gains would be recognized under this chapter. Gains exempt under this section shall not be taken into account in computing capital gains or losses under this chapter."

Page 16, line 24, delete "4" and insert "5"

Amend the title as follows:

Page 1, line 4, after "reductions;" insert "exempting from income tax gain from the sale of certain agricultural land;"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called.

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

There were 47 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Aasness	Gruenes	Kvam	Piepho	Valan
Ainley	Halberg	Laidig	Reif	Valento
Blatz	Haukoos	Lemen	Rothenberg	Weaver
Dean	Heap	Ludeman	Schafer	Welker
Dempsey	Heinitz	Luknic	Schoenfeld	Wieser
Erickson	Himle	McDonald	Schreiber	Wigley
Esau	Hoberg	Nelsen, B.	Sherwood	Zubay
Evans	Hokr	Niehaus	Stadum	
Fjoslien	Jennings	Nysether	Stowell	
Frerichs	Kaley	Peterson, B.	Sviggum	

Those who voted in the negative were:

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

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

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

Stowell moved to amend H. F. No. 1099, the second engrossment, as amended, as follows:

Page 14, line 15, strike "and"

Page 14, line 19, before the period, insert "; and

(26) In addition to the amount excluded from federal adjusted gross income pursuant to section 121 of the Internal Revenue Code of 1954 and this chapter, an amount so that the total exclusion of gain under this chapter does not exceed \$500,000, provided that the property sold or exchanged is agricultural land which qualifies as homestead property pursuant to sections 273.13, subdivisions 6, 6a, or 7 at the time of sale or exchange and the gain from the sale or exchange qualifies for exclusion under section 121 of the Internal Revenue Code of 1954 and this chapter except for the dollar limitations contained in section 121 (b) of the Internal Revenue Code of 1954"

Amend the title as follows:

Page 1, line 4, after "reductions;" insert "increasing the one-time exclusion for sale of a residence by persons over 55 in certain instances;"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called.

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

There were 115 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Drew	Kahn	Metzen	Tomlinson
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The motion prevailed and the amendment was adopted.

H. F. No. 1099 was given its third reading, as amended.

Sviggum moved to re-refer H. F. No. 1099, as amended, to the Committee on Taxes.

H. F. No. 1099, as amended, was temporarily laid over.

CALL OF THE HOUSE LIFTED

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

H. F. No. 1542 was reported to the House.

McDonald moved to amend H. F. No. 1542, the second engrossment, as follows:

Page 4, line 33, delete "*Carver*,"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 32 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Aasness	Fjoslien	Ludeman	Redalen	Sviggum
Ainley	Frerichs	Marsh	Rees	Welker
Carlson, D.	Haukoos	McDonald	Sarna	Wieser
Dempsey	Hoberg	Niehaus	Schafer	Zubay
Den Ouden	Hokr	Nysether	Sherman	
Erickson	Kvam	Onnen	Sherwood	
Esau	Laidig	Piepho	Stowell	

Those who voted in the negative were:

Anderson, G.	Ewald	Kelly	Novak	Schoenfeld
Anderson, I.	Greenfield	Knickerbocker	O'Connor	Schreiber
Battaglia	Gruenes	Kostohryz	Ogren	Shea
Begich	Gustafson	Lehto	Olsen	Sieben, M.
Berkelman	Hanson	Lemen	Osthoff	Simoneau
Blatz	Hauge	Long	Otis	Skoglund
Brandl	Heap	Luknic	Peterson, B.	Staten
Brinkman	Heinitz	McCarron	Peterson, D.	Swanson
Byrne	Himle	McEachern	Pogemiller	Vanasek
Carlson, L.	Hokanson	Mehrkens	Reding	Vellenga
Clark, J.	Jacobs	Metzen	Rice	Voss
Clark, K.	Johnson, C.	Minne	Rodriguez, C.	Welch
Clawson	Johnson, D.	Munger	Rodriguez, F.	Wenzel
Dahlvang	Jude	Murphy	Rose	Wigley
Elioff	Kahn	Nelson, K.	Rothenberg	Wynia
Ellingson	Kalis	Norton	Samuelson	Spkr. Sieben, H.

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

Skoglund moved to amend H. F. No. 1542, the second engrossment, as follows:

Page 2, line 13, after "*metropolitan area*" insert "*excluding the part of Carver County west of the west line of township 116N, range 24W, township 115N, range 24W, and township 114N, range 24W*"

Page 2, after line 23, insert "*If a county is only partly included in the district it shall have only one member.*"

The motion prevailed and the amendment was adopted.

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; increasing size of commission membership; increasing certain commission expenditure amounts; authorizing taxes; amending Minnesota Statutes 1980, Sections 473.701, Subdivisions 1, 2 and 3; 473.702; 473.703, Subdivision 1; 473.704, Subdivision 17; 473.705; and 473.711, Subdivision 2; repealing Minnesota Statutes 1980, Sections 473.701, Subdivisions 5 and 6; 473.713; and 473.717.

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 98 yeas and 19 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Aasness	Frerichs	Nysether	Schafer	Welker
Ainley	Ludeman	Redalen	Sherwood	Wieser
Den Ouden	McDonald	Rees	Valento	Zubay
Esau	Niehaus	Reif	Vanasek	

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

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. 1176, A bill for an act relating to the environment; establishing an environmental response, compensation and compliance fund to pay for removal and remedial action associated with certain hazardous substances released into the environment and for other purposes; providing for liability for cleanup costs, personal injury and economic loss resulting from releases of hazardous substances; authorizing rewards for information on violations; providing for pipeline testing; imposing taxes, fees, and penalties; appropriating money; amending Minnesota Statutes 1980, Sections 116.03, Subdivision 3; 466.01, by adding a subdivision; and 466.04, Subdivision 1; proposing new law coded as Minnesota Statutes, Chapter 115B; proposing new law coded in Minnesota Statutes, Chapter 116.

Reported the same back with the following amendments:

Page 3, line 32, delete "normal"

Page 3, line 33, delete "normal"

Page 14, line 12, delete "P"

Page 19, line 1, after "PESTICIDES" insert ", FERTILIZERS OR SOIL OR PLANT AMENDMENTS"

Page 19, line 4, before the comma insert "*or the release of fertilizers or soil or plant amendments*"

Page 22, line 29, after "actions" insert ", *including related compliance efforts,*"

Page 22, line 36, after "actions" insert ", *including related compliance efforts,*"

Page 23, line 18, delete "and" and insert a comma

Page 23, line 18, after "monitoring" insert ", *and compliance efforts*"

Page 23, line 19, delete "of" and insert "*related to*"

Page 26, delete lines 25 to 30

Renumber the subdivision

Page 28, delete lines 6 to 16

Page 28, after line 33, insert:

"Subd. 7. [DISPOSITION OF PROCEEDS.] *The proceeds of the tax imposed under section 19 including any interest and penalties, less the commissioner's and director's costs of administration as authorized by the legislature, shall be deposited in the fund and may be appropriated for any purpose provided in section 17, subdivision 2, except the purposes provided in clauses (b) and (c) of that subdivision.*"

Renumber the subdivisions

Page 33, delete section 27

Page 33, line 35, before "There" insert "*Subdivision 1. [APPROPRIATION.]*"

Page 33, line 36, delete the period and insert ", *subject to the appropriations in subdivisions 2 and 3. The appropriation shall not cancel and is available until expended.*"

Subd. 2. [REVENUE DEPARTMENT.] *Of the amount appropriated in subdivision 1, \$125,500 is appropriated for the period ending June 30, 1983, to the department of revenue for*

development costs and other expenses to implement the provisions of sections 19 to 21. The approved complement of the department is increased by two positions in fiscal year 1983.

Subd. 3. [POLLUTION CONTROL AGENCY.] Of the amount appropriated in subdivision 1, \$186,700 is appropriated for the period ending June 30, 1983, to the pollution control agency to adopt rules and take other actions necessary for the agency to implement its authority under sections 15 and 19 to 21. The approved complement of the agency is increased by seven positions.

Subd. 4. [RESPONSE ACTIONS.] The remainder of the amount appropriated in subdivision 1 and all other revenues deposited in the fund before July 1, 1983, except the proceeds of the tax imposed under section 19 and any money recovered under section 15, subdivision 8, are appropriated to the pollution control agency for the period ending June 30, 1983, for actions under section 17, subdivision 2, clause (b).

Subd. 5. [PREPARATION FOR RESPONSE.] All revenues deposited in the fund before July 1, 1983, as proceeds of the tax imposed under section 19 are appropriated to the pollution control agency for the period ending June 30, 1983, for the purposes of section 17, subdivision 2, clause (a)."

Renumber the sections

Page 34, line 2, delete "19 to 21 and 23 and 24" and insert "21, 23, 24, and 27"

Page 34, line 3, delete "except that" and insert a 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. 1374, A bill for an act relating to criminal justice; imposing a tax on alcoholic beverages sold for resale by the drink; providing for the distribution of the proceeds to local units of government to meet the costs of enforcement of laws relating to driving offenses involving alcohol or drugs; requiring payment of certain costs by persons receiving treatment for alcoholism; providing penalties; appropriating money; proposing new law coded in Minnesota Statutes, Chapters 169 and 340.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [PUBLIC POLICY.]

It is the public policy of this state that the costs of providing treatment and prevention of alcoholism and other chemical dependency problems, as well as the costs of preventing and controlling drunken driving, and the costs to individuals and to society resulting from alcohol abuse, shall be borne to a greater degree by the alcoholic beverage consumer than by the general taxpayer. Further, an additional excise tax on alcoholic beverages will more equitably distribute the costs of alcohol abuse and drunken driving control to the alcoholic beverage consumer and will provide a source of revenue to fund alcohol abuse and drunken driving control and prevention services which will be proportionate to the need for the services.

Sec. 2. [340.986] [ADDITIONAL TAX ON ALCOHOLIC BEVERAGES.]

Subdivision 1. [DEFINITION.] For the purposes of this section, "wholesale distributor" means any person who sells alcoholic beverages to retail dealers for the purpose of resale at on-sale establishments where liquor, beer or wine is sold by the glass or by the drink for consumption on the premises only.

Subd. 2. [TAX IMPOSED.] In addition to the taxes imposed by section 297A.02 and Chapter 340, there is imposed an excise tax on the gross receipts from the sale of liquor, beer or wine by wholesale distributors to on-sale establishments for resale by the glass or by the drink for consumption on the premises only, according to the following formula:

- (a) five cents per ounce of distilled liquor;*
- (b) five cents per 12 ounces of fermented malt beverages, including both nonintoxicating and intoxicating malt liquors; and*
- (c) five cents per four ounces of wine.*

The commissioner of revenue shall, not later than July 1, 1982, make temporary rules under section 15.0412, subdivision 5, to govern determinations by wholesale distributors of sales taxable under this section to municipal liquor stores and persons licensed under section 340.11, subdivision 12. The commissioner of revenue shall, not later than July 1, 1983, make permanent rules, subject to the provisions in the administrative procedure act of sections 15.041 to 15.052, governing these determinations. Notwithstanding any other provision of law the temporary rules

shall be effective until permanent rules are adopted but not later than July 1, 1983.

Subd. 3. [COLLECTION AND PAYMENT.] For the purposes of this section, the wholesale distributor shall comply with the provisions of chapter 297A relating to the duties of retailers with respect to collection and payment of the excise tax, and shall be subject to the penalties provided therein for failure to comply. The commissioner of revenue shall deposit the revenue derived from the tax imposed by this section in the state treasury, to be credited to the general fund.

Sec. 3. [EFFECTIVE DATE.]

The tax imposed by section 2 is effective for alcoholic beverages sold after June 30, 1982. Section 1 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to criminal justice; imposing a tax on alcoholic beverages sold for resale by the drink; proposing new law coded in Minnesota Statutes, Chapter 340."

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

The report was adopted.

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

H. F. No. 1566, A bill for an act relating to state and local government organization and relations; creating an advisory council on local government; prescribing its duties; proposing new law coded as Minnesota Statutes, Chapter 15B.

Reported the same back with the following amendments:

Page 2, line 22, delete "15" and insert "19"

Page 2, line 23, after "(a)" delete everything before the comma and insert "Three representatives and three senators"

Page 3, line 26, delete everything after the period

Page 3, delete line 27

Page 6, after line 13, insert:

"Sec. 8. [APPROPRIATIONS.]

The sum of \$50,000 is appropriated from the general fund to the advisory council on local government for the purposes of sections 1 to 7. The sum is available until June 30, 1983. The limitation upon the appropriation for calendar year 1982 local government aids, contained in Minnesota Statutes 1981 Supplement, Section 477A.03, Subdivision 2, as amended by Laws 1981, Third Special Session Chapter 2, Article IV, Section 12, is reduced by the sum of \$50,000."

Page 6, line 15, delete "7" and insert "8"

Renumber the section

Amend the title as follows:

Page 1, line 4, after "duties;" 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. 1669, A bill for an act relating to veterans; establishing information and referral assistance programs; authorizing limited studies; mandating annual reports; establishing an Agent Orange information and assistance section in the department of veterans affairs; providing Agent Orange information to health professionals; providing genetic information and counseling; classifying certain information as confidential; authorizing certain class actions; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 196.

Reported the same back with the following amendments:

Page 2, line 24, after "respond" insert ", within his powers and duties under chapters 196 and 197"

Page 3, line 26, delete "The" and insert "Within his powers and duties under chapters 196 and 197, the"

Page 5, line 12, in the blank insert "75,000"

Page 5, line 14, after the second period, insert "The approved complement of the department of veterans affairs is increased by two positions. The commissioner may solicit any grants, gifts, bequests, or any other donations which might be available to fund the purpose of sections 1 to 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:

H. F. No. 2033, A bill for an act relating to agriculture; providing for the licensing and regulation of certain grain buyers; providing a penalty; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 223; repealing Minnesota Statutes 1980, Sections 223.04; 223.07 to 223.11; 232.01; 232.02, Subdivisions 4, 5, 6, 7, 8 and 9; 232.03; 232.04; and 232.06, Subdivision 5; Minnesota Statutes 1981 Supplement, Sections 223.-01; 223.02; 223.03; 223.05; and 232.02, Subdivisions 1, 2 and 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [PURPOSE.]

The grain industry is an important source of revenue for many of Minnesota's citizens, and the regulation of grain buyers is consistent with the public welfare. It is the purpose of sections 3 to 6 to give the commissioner of agriculture the authority to regulate grain buyers.

Sec. 2. [223.15] [CITATION.]

Sections 3 to 6 may be cited as the grain buyers act.

Sec. 3. [223.16] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] For the purpose of sections 3 to 6 the terms defined in this section have the meanings given them.

Subd. 2. [BOND.] "Bond" means an obligation acceptable to and running to the state, as obligee, for the purpose of indemnifying producers of grain against the breach of a contract by a grain buyer.

Subd. 3. [COMMISSIONER.] "Commissioner" means the commissioner of agriculture or the commissioner's designee.

Subd. 4. [GRAIN.] "Grain" means any cereal grain, coarse grain or oilseed in unprocessed form for which a standard has been established by the United States secretary of agriculture or the Minnesota board of grain standards.

Subd. 5. [GRAIN BUYER.] "Grain buyer" means a person who purchases grain from a producer with the exception of a person who purchases seed grain for crop production or who purchases grain as feed for the person's own livestock.

Subd. 6. [GRAIN WAREHOUSE.] "Grain warehouse" means an elevator, flour, cereal or feed mill, malthouse or warehouse in which grain belonging to a person other than the warehouse operator is received for purchase or storage.

Subd. 7. [ITINERANT GRAIN BUYER.] "Itinerant grain buyer" means a person who travels from place to place to purchase grain for resale using a truck, semitrailer or trailer owned or operated by that person.

Subd. 8. [NONWAREHOUSE GRAIN BUYER.] "Nonwarehouse grain buyer" means a person without a private or public grain warehouse license who is licensed to engage in the business of purchasing grain for resale, excluding an itinerant grain buyer. A nonwarehouse grain buyer need not use his own vehicles to transport the purchased grain.

Subd. 9. [PERSON.] "Person" means a corporation, company, joint stock company or association, partnership, firm or individual and includes their agents, trustees, assignees or duly appointed receivers.

Subd. 10. [PRIVATE GRAIN WAREHOUSE OPERATOR.] "Private grain warehouse operator" means a person licensed to operate a grain warehouse for the sole purpose of purchasing, handling, processing and shipping grain or its by-products who is not licensed by the commissioner to accept grain belonging to others for storage. "Private grain warehouse operator" includes any person licensed under the United States Warehouse Act, United States Code, Title 7, Chapter 10.

Subd. 11. [PRODUCER.] "Producer" means a person who owns or manages a grain producing or growing operation and holds or shares the responsibility for marketing the grain produced.

Subd. 12. [PUBLIC GRAIN WAREHOUSE OPERATOR.] "Public grain warehouse operator" means a person operating a grain warehouse in which grain belonging to persons other than the grain warehouse operator is accepted for storage or purchase or who offers grain storage or warehouse facilities to the public for hire.

Subd. 13. [SEMITRAILER.] "Semitrailer" means a vehicle described in Minnesota Statutes, Section 168.011, Subdivision 14, used to haul grain.

Subd. 14. [TRAILER.] "Trailer" means a vehicle described in section 168.011, subdivision 13, used to haul grain.

Subd. 15. [TRUCK.] "Truck" means a single unit vehicle described in section 168.011, subdivision 10, used to haul grain.

Sec. 4. [223.17] [LICENSES; BONDING; CLAIMS; DISBURSEMENTS.]

Subdivision 1. [LICENSES.] A application for a grain buyer's license must be filed with the commissioner and the license issued before any grain may be purchased. The types of grain buyers' licenses are:

- (a) private grain warehouse operator's license;*
- (b) public grain warehouse operator's license;*
- (c) nonwarehouse grain buyer's license; and*
- (d) itinerant grain buyer's license.*

Public grain warehouse operators' licenses cover both grain buying and grain storage. The applicant for a grain buyer's license shall identify all grain buying locations owned or controlled by the grain buyer and all vehicles owned or controlled by the grain buyer used to transport purchased grain.

Subd. 2. [LICENSE RENEWAL.] A license must be renewed annually. If a person receives more than one license from the commissioner, the licenses shall be issued at the same time, but only after all conditions for each license are met. Multiple licenses should be combined into one license if possible.

Subd. 3. [FEES.] The commissioner shall set the fees for inspections and licenses under sections 3 to 6 at levels necessary to pay the expenses of administering and enforcing sections 3 to 6.

Subd. 4. [BOND.] Before a license is issued, the applicant for a grain buyers license shall file with the commissioner a bond in a penal sum prescribed by the commissioner but not more than the following amounts:

- (a) \$10,000 for each private or public grain warehouse up to a maximum of five grain warehouses;*
- (b) \$10,000 for each semitrailer used by an itinerant grain buyer up to a maximum of five semitrailers;*
- (c) \$5,000 for each truck used by an itinerant grain buyer up to a maximum of five trucks;*
- (d) \$5,000 for each trailer used by an itinerant grain buyer up to a maximum of five trailers; and*
- (e) \$50,000 for each nonwarehouse grain buyer.*

In lieu of the bond required by this subdivision the applicant may deposit with the state treasurer cash, a certified check, a cashier's check, a postal, bank, or express money order, assignable bonds or notes of the United States, or an assignment of a bank savings account or investment certificate or an irrevocable bank letter of credit, in the same amount as would be required for a bond.

Subd. 5. [VOLUNTARY EXTENSION OF CREDIT.]

Upon demand by a seller of grain, a grain buyer shall pay 90 percent of the estimated or actual value of grain purchased at the time the physical possession of the grain is conveyed from the seller to the grain buyer. The grain buyer shall complete final settlement as rapidly as possible through ordinary diligence. Any transaction wherein this demand is not exercised constitutes a voluntary extension of credit and is not afforded protection under the grain buyer's bond.

Subd. 6. [CONFIDENTIAL STATEMENTS REQUIRED.]

For the purpose of fixing or changing the amount of a required bond or for any other proper reason, the commissioner may require financial statements from a licensee. If the licensee fails to furnish financial statements or to furnish any new bond required, the commissioner may immediately suspend the license and the licensee shall surrender the license to the commissioner. Within 15 days the licensee may request an administrative hearing subject to chapter 15 to determine whether the license should be revoked. If no request is made within 15 days the commissioner shall revoke the license. All financial statements submitted to the commissioner are confidential.

Subd. 7. [BOND CLAIMS.] *A producer claiming to be damaged by a breach of the conditions of a bond of a licensed grain buyer may file a written claim with the commissioner. The claim must state the facts constituting the claim. The claim must be filed with the commissioner within 180 days of the breach of the conditions of the bond. If the commissioner believes that a claim is valid, the commissioner may immediately suspend the license, in which case the licensee shall surrender the license to the commissioner. Within 15 days the licensee may request an administrative hearing subject to chapter 15 to determine whether the license should be revoked. If no request is made within 15 days, the commissioner shall revoke the license.*

Subd. 8. [BOND DISBURSEMENT.] (a) *The bond shall provide for payment of loss caused by the grain buyer's failure to pay, upon the owner's demand, the purchase price of grain sold to the grain buyer. The bond shall be conditioned upon the grain buyer being duly licensed as provided herein. The bond shall not cover any transaction which constitutes a voluntary extension of credit.*

(b) Upon notification of default, the commissioner shall determine the validity of all claims and notify all parties having filed claims. An aggrieved party may appeal the commissioner's determination by requesting, within 15 days, that the commissioner initiate a contested case proceeding. In the absence of such a request, or following the issuance of a final order in a contested case, the surety company shall issue payment to those claimants entitled to payment. When the commissioner determines it necessary, the commissioner may apply to the district court for an order appointing a trustee or receiver to manage and supervise the operations of the grain buyer in default. The commissioner may participate in any resulting court proceeding as an interested party.

(c) If a grain buyer has become liable to more than one producer by reason of breaches of the conditions of the bond and the amount of the bond is insufficient to pay the entire liability to all producers entitled to the protection of the bond, the proceeds of the bond shall be apportioned among the bona fide claimants.

(d) The bond shall not be cumulative from one licensing period to the next. The maximum liability of the bond shall be its face value for the licensing period.

Sec. 5. [223.18] [PENALTY.]

A person buying grain without first obtaining a grain buyer's license is guilty of a misdemeanor. Each day of operation without a grain buyer's license constitutes a separate offense.

Sec. 6. [223.19] [RULES.]

The commissioner may promulgate rules to carry out the provisions of sections 3 to 6.

Sec. 7. [APPROPRIATION.]

The sum of \$50,300 is appropriated from the general fund to the commissioner of agriculture for the purposes of sections 3 to 6. This amount is added to the appropriation made in Laws 1981, Chapter 356, Section 23, and is available until June 30, 1983. The approved complement of the department is increased by one.

Sec. 8. [REPEALER.]

Minnesota Statutes 1980, Sections 223.04; 223.07; 223.08; 223.09; 223.10; 223.11; 232.01; 232.02, Subdivisions 4, 5, 6, 7, 8 and 9; 232.03; 232.04; and 232.06, Subdivision 5; Minnesota Statutes 1981 Supplement, Sections 223.01; 223.02; 223.03; 223.-

05; and 232.02, Subdivisions 1, 2 and 3, are repealed. Sections 2 to 8 are repealed July 1, 1983 except that the provisions of section 4, subdivisions 7 and 8 shall remain in effect for the settlement of any claims.

Sec. 9. [EFFECTIVE DATE.]

This act is effective July 1, 1982."

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. 2034, A bill for an act relating to agriculture; providing for the regulation of grain storage warehouse operators; changing certain fee provisions; providing penalties; appropriating money; amending Minnesota Statutes 1980, Section 236.02; Minnesota Statutes 1981 Supplement, Sections 231.16; and 233.08; proposing new law coded in Minnesota Statutes, Chapter 232; repealing Minnesota Statutes 1980, Sections 232.06, Subdivisions 2, 3, 4, 6, and 7; 232.07 to 232.19; Minnesota Statutes 1981 Supplement, Section 232.06, Subdivision 1.

Reported the same back with the following amendments:

Page 3, delete lines 18 to 20

Page 3, line 21, before the first "The" insert "Subd. 3. [FEES.]"

Page 3, delete lines 25 to 34

Page 12, after line 23, insert:

"Subd. 3. [INSPECTION, SAMPLING.] The commissioner or his authorized agent shall sample, inspect, and grade grains received or distributed from grain warehouses at such time and place and to such an extent as he may deem necessary to determine whether the sampling, inspection, and grading conducted by the warehouse operator conforms with the standards set by the board of grain standards. The commissioner may obtain any additional information he deems necessary and is authorized to enter upon any public or private premises during regular business hours in order to carry out the provisions of this subdivision."

Page 13, line 24, strike everything after "fee"

Page 13, lines 25 to 33, strike the old language and delete the new language

Page 13, line 34, delete the new language and insert "*set by the commissioner*"

Page 15, delete lines 29 and 30

Page 16, delete lines 24 and 25

Page 17, delete lines 21 to 25 and insert:

"The sum of \$164,600 is appropriated to the commissioner of agriculture for the purposes of sections 1 to 9. This amount is added to the appropriation made in Laws 1981, Chapter 356, Section 23, and is available until June 30, 1983. The approved complement of the department is increased by three."

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. 2080, A bill for an act relating to economic development; providing for a Minnesota conference on job formation; appropriating money.

Reported the same back with the following amendments:

Page 1, line 19, after the comma insert "*community organizations,*"

Page 2, line 7, delete everything after the period and insert "*The conference may solicit, receive, and disburse funds and gifts which will then be*"

Page 2, line 12, after the period insert "*The*"

Page 2, line 13, delete "*transferred*" and insert "*approved*"

Page 2, line 14, delete "*to the conference are appropriated*" and insert "*shall be transferred*"

Page 2, line 15, delete everything after the period and insert "*The amounts transferred*"

Page 2, line 16, delete "*March 31*" and insert "*June 30*"

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. 2262, A bill for an act relating to transportation; appropriating funds for matching federal funds for continuance of Amtrak service between the Twin Cities and Duluth.

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. 2277, A bill for an act relating to the county attorneys council; providing for the disposition of its records and equipment.

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

The report was adopted.

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

S. F. No. 1837, A bill for an act relating to health; establishing a permanent council on health promotion and wellness; proposing new law coded in Minnesota Statutes, Chapter 145.

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

The report was adopted.

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

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.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1176, 1566, 1669, 2033, 2034, 2080, 2262 and 2277 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1837 and 1840 were read for the second time.

SPECIAL ORDERS

H. F. No. 400, 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.

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 109 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ainley
Frerichs

Lemen

Ludeman

Schafer

Welker

The bill was passed and its title agreed to.

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 an account; appropriating money; amending Minnesota Statutes 1981 Supplement, Section 171.06, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 126.

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

The question was taken on the passage of the bill and the roll was called. There were 113 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G. Welker

Wieser

The bill was passed and its title agreed to.

H. F. No. 1115 was reported to the House.

Rodriguez, C., moved to amend H. F. No. 1115, the second engrossment, as follows:

Page 3, line 4, delete "*may include provisions for a fee for service*"

Page 3, line 6, after the period insert "*“Total operating cost” may include provisions for a fee for service.*"

Page 8, line 3, after "7" insert a comma and delete "and" and after "8" insert "*and 9*"

The motion prevailed and the amendment was adopted.

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, Sections 174.24, Subdivisions 3, and 3a, as amended; and 174.265, Subdivision 4; repealing Minnesota Statutes 1980, Sections 174.25; and 174.26.

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 112 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ainley Frerichs Ludeman Welker

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

Halberg was excused between the hours of 5:00 p.m. and 7:00 p.m.

H. F. No. 1477 was reported to the House.

Battaglia; Carlson, D.; Fjoslien and Begich moved to amend H. F. No. 1477, the second engrossment, as follows:

Page 2, delete lines 23 to 33, and insert:

"84.83 [DISPOSITION OF RECEIPTS; *DEDICATED ACCOUNT.*]

Subdivision 1. [CREATION.] (FEES FROM REGISTRATION OF SNOWMOBILES SHALL BE DEPOSITED WITH THE STATE TREASURER TO THE CREDIT OF THE GENERAL FUND.) There is created in the state treasury an account known as the snowmobile trails and enforcement account.

Subd. 2. [MONEY DEPOSITED IN THE ACCOUNT.] Fees from the registration of snowmobiles and the unrefunded gasoline tax attributable to snowmobile use pursuant to section 296.16 shall be deposited in the state treasury and credited to the snowmobile trails and enforcement account.

Subd. 3. [PURPOSES FOR THE ACCOUNT.] The money deposited in the account may be expended only as appropriated by law for the following purposes:

(1) For a grant-in-aid program to counties and municipalities for construction and maintenance of snowmobile trails;

(2) For acquisition, development and maintenance of state recreational snowmobile trails; and

(3) For the administration and enforcement of sections 84.81 to 84.90."

Page 2, after line 33, insert:

"Sec. 4. [STUDY.]"

Page 3, delete lines 3 to 6 and insert:

"Sec. 5. [APPROPRIATIONS.]

Subdivision 1. [GENERAL FUND.] The sum of \$400,000 is appropriated from the general fund to the department of natural resources for the period ending June 30, 1983. This amount represents the estimate of increased fee receipts pursuant to sections 1 and 2 for the period ending June 30, 1983. This appropriation is added to the appropriation made in Laws 1981, Chapter 356, Section 25, for snowmobile activities.

Subd. 2. [DEDICATED ACCOUNT.] If fee receipts exceed \$1,395,000 for the period July 1, 1982 to June 30, 1983, the commissioner of finance shall deposit the amount over \$1,395,000 in the snowmobile trails and enforcement account created in section 3 on July 1, 1983.

Sec. 6. [EFFECTIVE DATE.]

Section 3 is effective July 1, 1983. The remaining sections are effective August 1, 1982."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the first semicolon insert "creating a snowmobile trails and enforcement account in the state treasury;"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 76 yeas and 29 nays as follows:

Those who voted in the affirmative were:

Aasness	Fjoslien	Lemen	Osthoff	Stowell
Ainley	Frerichs	Ludeman	Piepho	Stumpf
Anderson, I.	Gruenes	Luknic	Redalen	Sviggum
Battaglia	Gustafson	Marsh	Reding	Swanson
Begich	Hauge	McDonald	Rees	Valan
Blatz	Haukoos	McEachern	Reif	Valento
Brinkman	Heap	Mehrkens	Rodriguez, F.	Weaver
Carlson, D.	Himle	Metzen	Rose	Welker
Carlson, L.	Hoberg	Minne	Sarna	Wenzel
Dahlvang	Hokanson	Murphy	Schafer	Wieser
Dempsey	Jennings	Nelsen, B.	Schoenfeld	Wigley
Den Ouden	Johnson, D.	Niehans	Schreiber	Zubay
Drew	Jude	Nysether	Shea	
Elloff	Kalis	O'Connor	Sherman	
Erickson	Kostohryz	Ogren	Sherwood	
Esau	Kvam	Onnen	Stadum	

Those who voted in the negative were:

Brandl	Clark, J.	Greenfield	Heinitz	Kahn
Byrne	Ellingson	Hanson	Johnson, C.	Kelly

Laidig	Nelson, K.	Peterson, B.	Samuelson	Vellenga
Lehto	Norton	Peterson, D.	Simoneau	Voss
Long	Olsen	Rodriguez, C.	Staten	Wynia
McCarron	Otis	Rothenberg	Vanasek	

The motion prevailed and the amendment was adopted.

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; creating a snowmobile trails and enforcement account in the state treasury; appropriating money; amending Minnesota Statutes 1980, Sections 84.82, Subdivision 3, and by adding a subdivision; and 84.83.

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 87 yeas and 32 nays as follows:

Those who voted in the affirmative were:

Aasness	Fjoslien	Knickerbocker	Ogren	Sieben, M.
Ainley	Frerichs	Kostohryz	Olsen	Simoneau
Anderson, B.	Gruenes	Laidig	Onnen	Skoglund
Anderson, I.	Gustafson	Lehto	Peterson, B.	Stadum
Battaglia	Halberg	Lemen	Pogemiller	Stowell
Berkelman	Hauge	Long	Redalen	Sviggum
Blatz	Haukoos	Luknic	Reding	Swanson
Brinkman	Heap	Marsh	Rees	Valento
Carlson, D.	Himle	McDonald	Reif	Vanasek
Carlson, L.	Hoberg	McEachern	Rodriguez, C.	Weaver
Clawson	Hokanson	Mehrkens	Rodriguez, F.	Welch
Dahlvang	Hokr	Metzen	Sarna	Wenzel
Dempsey	Jacobs	Minne	Schafer	Wieser
Den Ouden	Johnson, C.	Munger	Schoenfeld	Wynia
Eken	Johnson, D.	Nelsen, B.	Schreiber	Spkr. Sieben, H.
Elioff	Jude	Niehaus	Shea	
Ellingson	Kalis	Novak	Sherman	
Erickson	Kelly	O'Connor	Sherwood	

Those who voted in the negative were:

Anderson, G.	Esau	Kvam	Otis	Voss
Begich	Greenfield	Ludeman	Peterson, D.	Welker
Brandl	Hanson	McCarron	Piepho	Wigley
Byrne	Heinitz	Nelson, K.	Rose	Zubay
Clark, J.	Jennings	Norton	Rothenberg	
Dean	Kahn	Nysether	Staten	
Drew	Kaley	Osthoff	Vellenga	

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

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

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.

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

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Erickson	Kvam	Onnen	Sieben, M.
Ainley	Esau	Laidig	Osthoff	Simoneau
Anderson, B.	Fjoslien	Lehto	Otis	Skoglund
Anderson, G.	Frerichs	Lemen	Peterson, B.	Stadum
Anderson, I.	Greenfield	Long	Peterson, D.	Staten
Battaglia	Gruenes	Ludeman	Piepho	Stowell
Begich	Gustafson	Luknie	Pogemiller	Stumpf
Berkelman	Hanson	Marsh	Redalen	Sviggum
Blatz	Hauge	McCarron	Reding	Swanson
Brandl	Haukoos	McDonald	Rees	Valan
Brinkman	Heap	McEachern	Reif	Valento
Byrne	Himle	Metzen	Rice	Vanasek
Carlson, D.	Hoberg	Minne	Rodriguez, C.	Vellenga
Carlson, L.	Hokanson	Munger	Rodriguez, F.	Voss
Clark, J.	Hokr	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	Schafer	Wigley
Den Ouden	Kahn	Novak	Schoenfeld	Wynia
Drew	Kalis	Nysether	Schreiber	Zubay
Eken	Kelly	O'Connor	Shea	Spkr. Sieben, H.
Elioff	Knickerbocker	Ogren	Sherman	
Ellingson	Kostohryz	Olsen	Sherwood	

The bill was passed and its title agreed to.

Rothenberg was excused for the remainder of today's session

H. F. No. 1099, as amended, which was temporarily laid over earlier today, was again reported to the House.

Sviggum withdrew his motion that H. F. No. 1099, as amended, be re-referred to the Committee on Taxes.

MOTION FOR RECONSIDERATION

Ogren moved that the action whereby H. F. No. 1099, as amended, was given its third reading be now reconsidered. The motion prevailed.

Sviggum and Ogren moved to amend H. F. No. 1099, the second engrossment, as amended, as follows:

Page 3, after line 27, insert:

"Any gain realized from the sale of nonhomestead agricultural land which is subsequently applied to the purchase of agricultural land which will qualify as class 3b or 3cc shall not be subject to the tax imposed by this section."

The motion prevailed and the amendment was adopted.

Wieser, Ogren and Erickson moved to amend H. F. No. 1099, the second engrossment, as amended, as follows:

Page 2, line 10, after "resident" insert "or up to 320 acres owned by a non-resident"

The motion prevailed and the amendment was adopted.

Ludeman moved that H. F. No. 1099, as amended, be referred to the Committee on Taxes.

A roll call was requested and properly seconded.

CALL OF THE HOUSE

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

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

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

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

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

There were 53 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Aasness	Frerichs	Kvam	Onnen	Stadum
Ainley	Gruenes	Laidig	Osthoff	Stowell
Blatz	Haukoos	Lemen	Peterson, B.	Sviggum
Dean	Heap	Ludeman	Piepho	Valan
Dempsey	Himle	Luknic	Rees	Valento
Den Ouden	Hoberg	Marsh	Reif	Weaver
Drew	Hokr	McDonald	Rose	Welker
Erickson	Jennings	Mehrkens	Schafer	Wigley
Esau	Johnson, D.	Nelsen, B.	Schreiber	Zubay
Ewald	Kaley	Niehaus	Sherman	
Fjoslien	Knickerbocker	Olsen	Sherwood	

Those who voted in the negative were:

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

The motion did not prevail.

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; limiting certain tax reductions; increasing the one-time exclusion for sale of a residence by persons over 55 in certain instances; amending Minnesota Statutes 1981 Supplement, Sections 124.213, Subdivision 1; 290.01, Subdivision 20, as amended; and 290.091, as amended; proposing new law coded in Minnesota Statutes, Chapter 290.

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.

Peterson, B., moved that those not voting be excused from voting. The motion did not prevail.

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

There were 73 yeas and 51 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Aasness	Frerichs	Laidig	Peterson, B.	Stadum
Ainley	Gruenes	Lemen	Piepho	Svigum
Blatz	Haukoos	Ludeman	Rees	Valento
Dean	Heap	Luknic	Reif	Weaver
Dempsey	Himle	Marsh	Rodriguez, C.	Welker
Den Ouden	Hoberg	McDonald	Rose	Wigley
Drew	Hokr	Nelsen, B.	Schafer	Zubay
Erickson	Jennings	Niehaus	Schoenfeld	
Esau	Kaley	Nysether	Schreiber	
Ewald	Knickerbocker	Olsen	Sherman	
Fjoslien	Kvam	Osthoff	Sherwood	

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

The Speaker resumed the Chair.

Hanson was excused between the hours of 6:00 and 7:30 p.m.

Brinkman was excused between the hours of 6:10 and 8:15 p.m.

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

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, Subdivisions 1 and 9, and by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 80 yeas and 44 nays as follows:

Those who voted in the affirmative were:

Aasness	Frerichs	Knickerbocker	Olsen	Stadum
Ainley	Greenfield	Kvam	Onnen	Staten
Blatz	Gruenes	Laidig	Peterson, B.	Stowell
Clark, J.	Harens	Lemen	Peterson, D.	Stumpf
Clark, K.	Hauge	Ludeman	Piepho	Sviggum
Clawson	Haukoos	Luknic	Redalen	Swanson
Dean	Heap	Marsh	Rees	Valan
Dempsey	Himle	McDonald	Reif	Valento
Den Ouden	Hoberg	McEachern	Rodriguez, C.	Vellenga
Drew	Hokanson	Mehrkens	Rose	Weaver
Elioff	Hokr	Minne	Schafer	Welch
Erickson	Jennings	Nelsen, B.	Schreiber	Welker
Esau	Johnson, D.	Nelson, K.	Shea	Wieser
Evans	Jude	Niehaus	Sherman	Wigley
Ewald	Kahn	Nysether	Sherwood	Wynia
Fjoslien	Kaley	Ogren	Skoglund	Zubay

Those who voted in the negative were:

Anderson, B.	Carlson, L.	Kostohryz	Novak	Schoenfeld
Anderson, G.	Dahlvang	Lehto	O'Connor	Sieben, M.
Anderson, I.	Eken	Long	Osthoff	Simoneau
Battaglia	Ellingson	Mann	Otis	Tomlinson
Begich	Gustafson	McCarron	Pogemiller	Vanasek
Berkelman	Jacobs	Metzen	Reding	Voss
Brandl	Johnson, C.	Munger	Rice	Wenzel
Byrne	Kalis	Murphy	Rodriguez, F.	Spkr. Sieben, H.
Carlson, D.	Kelly	Norton	Samuelson	

The bill was not passed.

POINT OF ORDER

Peterson, B., raised a point of order that H. F. No. 1757 did not require a three-fifths vote of the whole House to pass pursuant to the Minnesota Constitution, Article XI, Section 5. The Speaker ruled the point of order not well taken and the bill was not passed.

Jennings appealed the decision of the Chair.

A roll call was requested and properly seconded.

Eken moved to lay the appeal of the decision of the Chair on the table. The motion prevailed.

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; imposing an assessment on utilities; appropriating money; amending Min-

nesota Statutes 1981 Supplement, Section 116C.69, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 116.

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 114 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Den Ouden McDonald Redalen Welker

The bill was passed and its title agreed to.

H. F. No. 1798 was reported to the House.

Otis moved that H. F. No. 1798 be continued on Special Orders for one day. The motion prevailed.

H. F. No. 2005 was reported to the House.

Ludeman moved to amend H. F. No. 2005, the second engrossment, as follows:

Page 4, line 17, delete "*distinct within*" and insert "*drawn exclusively from and shall not be in addition to*"

The motion prevailed and the amendment was adopted.

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.

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

The question was taken on the passage of the bill and the roll was called. There were 100 yeas and 13 nays as follows:

Those who voted in the affirmative were:

Aasness	Elioff	Kaley	Norton	Schoenfeld
Anderson, B.	Ellingson	Kalis	Novak	Schreiber
Anderson, G.	Erickson	Kelly	O'Connor	Shea
Anderson, I.	Esau	Knickerbocker	Ogren	Sherman
Battaglia	Fjoslien	Kostohryz	Olsen	Sieben, M.
Begich	Greenfield	Kvam	Onnen	Simoneau
Berkelman	Gruenes	Laidig	Osthoff	Skoglund
Blatz	Gustafson	Lehto	Otis	Staten
Brandl	Harens	Long	Peterson, B.	Swanson
Byrne	Hauge	Luknic	Peterson, D.	Valan
Carlson, D.	Heap	Mann	Piepho	Valento
Carlson, L.	Himle	Marsh	Pogemiller	Vanasek
Clark, J.	Hoberg	McCarron	Reding	Vellenga
Clark, K.	Hokanson	McEachern	Reif	Voss
Clawson	Hokr	Metzen	Rice	Weaver
Dahlvang	Jacobs	Minne	Rodriguez, C.	Welch
Dean	Johnson, C.	Munger	Rodriguez, F.	Wenzel
Dempsey	Johnson, D.	Murphy	Rose	Wigley
Drew	Jude	Nelson, K.	Samuelson	Wynia
Eken	Kahn	Niehaus	Schafer	Spkr. Sieben, H.

Those who voted in the negative were:

Ainley	Ludeman	Nysether	Stowell	Zubay
Den Ouden	McDonald	Redalen	Welker	
Haukoos	Nelsen, B.	Rees	Wieser	

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

CALL OF THE HOUSE LIFTED

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

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

H. F. No. 2123 was reported to the House.

Brandl moved to amend H. F. No. 2123, the second engrossment, as follows:

Page 4, line 19, delete "or who have been denied enrollment to"

Page 4, delete line 20

Page 4, line 21, after the period insert

"A coinsurance fee shall not be required either from a recipient of medical assistance in a county where the state has not contracted with a health maintenance organization or from a recipient who has been denied enrollment to receive the benefits of a health maintenance organization contracted for by the state pursuant to this section."

The motion prevailed and the amendment was adopted.

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.

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 118 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

H. F. No. 2190 was reported to the House.^a

Swanson moved to amend H. F. No. 2190, the first engrossment, as follows:

Page 4, after line 17, insert:

"Sec. 6. [AREA VOCATIONAL-TECHNICAL INSTITUTE CONSTRUCTION.]

Notwithstanding the provisions of sections 121.214, 121.215, 121.2155, and 275.125, subdivision 14a, or any other law to the contrary, Independent School District No. 287, Suburban Hennepin, Independent School District No. 742, St. Cloud, and Independent School District No. 861, Winona, may commence construction of the projects authorized in Laws 1981, Chapter 362, Section 2, Subdivision 1, subject to the following conditions:

- (1) approval of the school board,*
- (2) availability at the time of construction of unencumbered funds in the district's area vocational-technical institute capital expenditure fund or building construction fund equal to or exceeding the total cost as authorized in Laws 1981, Chapter 362, Section 2, Subdivision 1, and*
- (3) provided the cost of construction shall not exceed the total cost as authorized.*

At the time of construction, these projects shall be financed entirely from the balances in capital expenditure or building construction funds in the respective districts.

It is the intent of the legislature that the appropriations in Laws 1981, Chapter 362, Section 2, Subdivision 1, shall be paid to the districts at the time the commissioner of finance determines that the proceeds of state bond sales are available for the projects. Upon receipt, the district shall reimburse the fund from which the project was funded. The state's financial obligation to any district for a project constructed pursuant to this section shall be computed as follows: The actual cost of the project less the maximum amount to be expended by the school district as defined in the original appropriation. If the actual cost of the project is less than the maximum amount to be expended by the school district, the state shall have no financial obligation for the project. The state's financial obligation to a district does not include any interest."

Renumber the sections

The motion prevailed and the amendment was adopted.

Clark, J., was excused for the remainder of today's session.

Zubay moved to amend H. F. No. 2190, the first engrossment, as amended, as follows:

Page 3, after line 31 insert:

"Subdivision 1. The Higher Education Coordinating Board shall develop a plan for providing post-secondary education services under conditions of declining enrollment and potentially declining financial resources for the U of M; State University; Community Colleges and Area Vocational-Technical Institutes."

Page 3, delete lines 32 to 36

Page 4, delete lines 1 and 2

Page 4, line 3, delete "*potentially declining financial resources.* Each" insert "*The*"

Page 4, line 4, strike "Each" insert "*The*"

Page 4, line 7, strike "strategies" insert "*strategy*"

Page 4, line 12, strike "Each" insert "*The*"

Page 4, line 13, delete "*by the*"

Page 4, line 14, delete "*University of Minnesota*"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 44 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Aasness	Frerichs	Laidig	Peterson, B.	Stadum
Ainley	Gruenes	Luknic	Piepho	Stumpf
Anderson, G.	Halberg	Marsh	Redalen	Valento
Blatz	Haukoos	McDonald	Reding	Weaver
Carlson, D.	Himle	Mehrkens	Rees	Welker
Dempsey	Jennings	Niehaus	Reif	Wieser
Den Ouden	Jude	Nysether	Schafer	Wigley
Ewald	Kaley	Olsen	Schreiber	Zubay
Fjoslien	Kelly	Onnen	Sherwood	

Those who voted in the negative were:

Anderson, B.	Begich	Byrne	Clawson	Drew
Anderson, I.	Berkelman	Carlson, L.	Dahlyang	Eken
Battaglia	Brandl	Clark, K.	Dean	Elioff

Ellingson	Johnson, D.	Metzen	Peterson, D.	Stowell
Erickson	Kahn	Minne	Pogemiller	Sviggum
Greenfield	Kalis	Munger	Rice	Swanson
Hanson	Kvam	Murphy	Rodriguez, C.	Valan
Hauge	Lehto	Nelsen, B.	Rodriguez, F.	Vanasek
Heap	Lemen	Nelson, K.	Samuelson	Vellenga
Hoberg	Long	Norton	Schoenfeld	Voss
Hokanson	Ludeman	Novak	Sherman	Welch
Hokr	Mann	O'Connor	Sieben, M.	Wenzel
Jacobs	McCarron	Osthoff	Simoneau	Wynia
Johnson, C.	McEachern	Otis	Skoglund	Spkr. Sieben, H.

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

Zubay offered an amendment to H. F. No. 2190, as amended.

POINT OF ORDER

Carlson, L., raised a point of order pursuant to rule 3.10 that the amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

H. F. No. 2190, 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.

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 103 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Aasness	Brandl	Drew	Gruenes	Hoberg
Anderson, B.	Byrne	Eken	Gustafson	Hokanson
Anderson, G.	Carlson, L.	Elioff	Halberg	Hokr
Anderson, I.	Clark, K.	Ellingson	Hanson	Jacobs
Battaglia	Clawson	Erickson	Hauge	Johnson, C.
Begich	Dahlvang	Ewald	Haukoos	Johnson, D.
Berkelman	Dean	Fjoslien	Heap	Jude
Blatz	Dempsey	Greenfield	Himle	Kahn

Kalis	Mehrkens	Osthoff	Samuelson	Valan
Kelly	Metzen	Otis	Schoenfeld	Vanasek
Knickerbocker	Minne	Peterson, B.	Schreiber	Vellenga
Kostohryz	Munger	Peterson, D.	Sherman	Voss
Kvam	Murphy	Piepho	Sieben, M.	Weaver
Laidig	Nelsen, B.	Pogemiller	Simoneau	Welch
Lehto	Nelson, K.	Reding	Skoglund	Wenzel
Long	Niehaus	Rees	Stadum	Wieser
Luknic	Norton	Reif	Staten	Wigley
Mann	Novak	Rice	Stowell	Wynia
Marsh	O'Connor	Rodriguez, C.	Stumpf	Spkr. Sieben, H.
McCarron	Ogren	Rodriguez, F.	Swiggum	
McEachern	Olsen	Rose	Swanson	

Those who voted in the negative were:

Ainley	Jennings	Nysether	Valento	Zubay
Den Ouden	Ludeman	Redalen	Welker	
Frerichs	McDonald	Schafer		

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

S. F. No. 411 was reported to the House.

Reding moved to amend S. F. No. 411, the unofficial engrossment, as follows:

Page 6, line 20, after "6," insert "7, 8,"

Page 6, line 20, after "10," insert "11, 12, 13"

The motion prevailed and the amendment was adopted.

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

Stumpf moved to amend S. F. No. 411, the unofficial engrossment, as amended, as follows:

Page 3, line 26, delete "nine" insert "12"

Beigich moved to amend the Stumpf amendment to S. F. No. 411, the unofficial engrossment, as follows:

Delete "12" and insert "24"

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

The question recurred on the Stumpf amendment.

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

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.

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 110 yeas and 8 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Begich	Harens	Kalis	Ogren	Welker
Elioff	Jennings	Niehaus		

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

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

S. F. No. 1239 was reported to the House.

Welker moved to amend S. F. No. 1239, the unofficial engrossment, as follows:

Page 2, delete lines 21 to 31

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 30 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Aasness	Frerichs	McDonald	Rees	Stowell
Ainley	Halberg	Niehaus	Rodriguez, C.	Valento
Dempsey	Haukoos	Nysether	Rose	Weaver
Den Ouden	Hokr	Onnen	Schafer	Welker
Drew	Jennings	Piepho	Sherwood	Wieser
Fjoslien	Knickerbocker	Redalen	Stadum	Wigley

Those who voted in the negative were:

Anderson, G.	Gustafson	Laidig	Norton	Sieben, M.
Battaglia	Hanson	Lehto	Novak	Simoneau
Begich	Harens	Lemen	O'Connor	Skoglund
Berkelman	Hauge	Long	Ogren	Staten
Blatz	Heap	Ludeman	Olsen	Stumpf
Brandl	Himle	Luknic	Otis	Sviggum
Byrne	Hokanson	Mann	Peterson, B.	Swanson
Carlson, L.	Jacobs	Marsh	Peterson, D.	Tomlinson
Clark, K.	Johnson, C.	McCarron	Pogemiller	Vanasek
Clawson	Johnson, D.	Mehrkens	Reding	Voss
Dahlvang	Jude	Metzen	Reif	Welch
Eken	Kahn	Minne	Rice	Wenzel
Elioff	Kaley	Munger	Rodriguez, F.	Wynia
Ellingson	Kalis	Murphy	Samuelson	Zubay
Greenfield	Kelly	Nelsen, B.	Schoenfeld	Sprk. Sieben, H.
Gruenes	Kostohryz	Nelson, K.	Sherman	

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

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.

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

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Ogren	Redalen	Schafer	Staten	Voss
Olsen	Reding	Schoenfeld	Stowell	Weaver
Onnen	Rees	Schreiber	Stumpf	Welch
Osthoff	Reif	Sherman	Sviggum	Wenzel
Otis	Rice	Sherwood	Swanson	Wieser
Peterson, B.	Rodriguez, C.	Sieben, M.	Tomlinson	Wigley
Peterson, D.	Rodriguez, F.	Simoneau	Valan	Wynia
Piepho	Rose	Skoglund	Vanasek	Zubay
Pogemiller	Samuelson	Stadum	Vellenga	Spkr. Sieben, H.

Those who voted in the negative were:

McCarron Welker

The bill was passed and its title agreed to.

S. F. No. 1398 was reported to the House.

O'Connor and Metzen moved to amend S. F. No. 1398, the unofficial engrossment, as follows:

Page 2, after line 20, insert:

"Subd. 2c. The registrar shall issue special license plates inscribed with a symbol of the state of Minnesota together with five numbers to members of the state legislature for a fee of \$10."

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 3 yeas and 106 nays as follows:

Those who voted in the affirmative were:

McEachern Metzen O'Connor

Those who voted in the negative were:

Aasness	Elioff	Jacobs	Marsh	Pogemiller
Ainley	Ellingson	Jennings	McDonald	Reding
Anderson, B.	Erickson	Johnson, C.	Mehrrens	Rees
Anderson, G.	Fjoslien	Johnson, D.	Minne	Reif
Battaglia	Frerichs	Jude	Munger	Rice
Begich	Greenfield	Kahn	Murphy	Rodriguez, C.
Berkelman	Gruenes	Kalis	Nelsen, B.	Rose
Blatz	Gustafson	Kelly	Niehaus	Samuelson
Brandl	Halberg	Knickerbocker	Norton	Schafer
Brinkman	Hanson	Kostohryz	Novak	Schoenfeld
Carlson, L.	Harens	Kvam	Nysether	Schreiber
Clark, K.	Hauge	Laidig	Ogren	Shea
Clawson	Haukoos	Lehto	Olsen	Sherman
Dahlvang	Heap	Lemen	Onnen	Sherwood
Dempsey	Himle	Long	Otis	Sieben, M.
Den Ouden	Hoberg	Ludeman	Peterson, B.	Simoneau
Drew	Hokanson	Luknic	Peterson, D.	Skoglund
Eken	Hokr	Mann	Piepho	Stadum

Staten	Sviggum	Vanasek	Welch	Wieser
Stowell	Swanson	Voss	Welker	Wigley
Stumpf	Valento	Weaver	Wenzel	Wynia
				Zubay

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

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.

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 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

NOTICE OF INTENTION TO MOVE RECONSIDERATION

Pursuant to Rule 3.4, Carlson, D., gave notice of intention to move reconsideration of the vote whereby H. F. No. 1757 was not passed earlier today.

MOTION FOR RECONSIDERATION

Novak moved that the vote whereby H. F. No. 1757 was not passed as a Special Order be now reconsidered.

POINT OF ORDER

Jennings raised a point of order pursuant to rule 3.4 that the Novak motion to reconsider was not in order. The Speaker ruled the point of order not well taken and the Novak motion in order.

Carlson, D., moved that the Novak motion to reconsider be laid on the table.

A roll call was requested and properly seconded.

The question was taken on the Carlson, D., motion and the roll was called. There were 65 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Aasness	Greenfield	Kaley	Olsen	Stadum
Ainley	Gruenes	Knickerbocker	Onnen	Staten
Anderson, B.	Halberg	Kvam	Peterson, B.	Stowell
Blatz	Hauge	Laidig	Piepho	Stumpf
Carlson, D.	Haukoos	Lemen	Redalen	Swiggum
Clark, K.	Heap	Ludeman	Rees	Valan
Dempsey	Himle	Luknic	Reif	Valento
Den Ouden	Hoberg	Marsh	Rodriguez, C.	Weaver
Drew	Hokr	McDonald	Rose	Welch
Erickson	Jennings	Mehrkins	Schafer	Welker
Evans	Johnson, D.	Nelsen, B.	Shea	Wieser
Fjoslien	Jude	Niehaus	Sherman	Wigley
Frerichs	Kahn	Nysether	Sherwood	Zubay

Those who voted in the negative were:

Anderson, G.	Eken	Long	O'Connor	Sieben, M.
Anderson, I.	Elloff	Mann	Ogren	Simoneau
Battaglia	Ellingson	McCarron	Osthoff	Skoglund
Begich	Gustafson	McEachern	Otis	Vanasek
Berkelman	Hanson	Metzen	Peterson, D.	Vellenga
Brandl	Harens	Minne	Pogemiller	Voss
Brinkman	Jacobs	Munger	Rice	Wenzel
Byrne	Johnson, C.	Murphy	Rodriguez, F.	Wynia
Carlson, L.	Kalis	Nelson, K.	Samuelson	Spkr. Sieben, H.
Clawson	Kelly	Norton	Schoenfeld	
Dahlvang	Lehto	Novak	Schreiber	

The motion prevailed and the Novak motion to reconsider was laid on the table.

SPECIAL ORDERS, Continued

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.

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 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Greenfield Hauge Kahn Shea

The bill was passed and its title agreed to.

S. F. No. 1671 was reported to the House.

Munger moved to amend S. F. No. 1671, the unofficial engrossment, as follows:

Page 3, line 2, delete "362.12" and insert "116C.04"

Page 3, line 4, delete "5" and insert "10"

The motion prevailed and the amendment was adopted.

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, Sec-

tions 116C.04, Subdivisions 8 and 9; 116C.05; 116C.07; and Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivision 3.

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

The question was taken on the passage of the bill and the roll was called. There were 77 yeas and 35 nays as follows:

Those who voted in the affirmative were:

Battaglia	Halberg	Long	Otis	Skoglund
Begich	Hanson	Marsh	Peterson, B.	Staten
Berkelman	Harens	McCarron	Peterson, D.	Stowell
Brandl	Hauge	McEachern	Pogemiller	Swanson
Byrne	Hokanson	Metzen	Reding	Tomlinson
Carlson, D.	Jacobs	Minne	Rees	Vanasek
Carlson, L.	Johnson, D.	Munger	Reif	Vellenga
Clark, K.	Jude	Murphy	Rice	Voss
Clawson	Kahn	Nelson, K.	Rodriguez, C.	Weaver
Drew	Kalis	Norton	Rodriguez, F.	Welch
Eken	Kelly	Novak	Rose	Wenzel
Elioff	Knickerbocker	O'Connor	Schreiber	Wynia
Ellingson	Kostohryz	Ogren	Shea	Spkr. Sieben, H.
Evans	Laidig	Olsen	Sherman	
Greenfield	Lehto	Onnen	Sieben, M.	
Gustafson	Lemen	Osthoff	Simoneau	

Those who voted in the negative were:

Aasness	Fjoslien	Jennings	Niehaus	Sviggum
Ainley	Frerichs	Johnson, C.	Nysether	Valan
Anderson, B.	Gruenes	Kaley	Piepho	Valento
Brinkman	Haukoos	Kvam	Redalen	Welker
Dempsey	Himle	Ludeman	Samuelson	Wieser
Den Ouden	Hoberg	McDonald	Schafer	Wigley
Erickson	Hokr	Nelsen, B.	Schoenfeld	Zubay

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

S. F. No. 1910 was reported to the House.

Reif and Heinitz moved to amend S. F. No. 1910, as follows:

Page 2, line 4, after the period insert:

"The county agency shall provide all acute care facility discharge planners with information concerning the long-term supportive services, other than nursing home care, that are available in that county."

Page 2, line 5, after "facility" insert: "not accredited under the standards of the hospital accreditation program of the joint commission on accreditation of hospitals"

Page 2, line 26, reinstate "(FROM ACUTE CARE FACILITIES OR)" and after the reinstated "facilities" insert: "ac-

credited under the standards of the hospital accreditation program of the joint commission on hospital accreditation"

Page 3, line 31, strike "and"

Page 3, line 33, after "assistance" insert "*and (4) who, if they are being discharged from an acute care facility, have been referred to the screening team by a discharge planner.*"

Amend the title as follows:

Page 1, line 3, after "for" insert "certain"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 53 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Aasness	Fjoslien	Kvam	Peterson, B.	Swanson
Ainley	Frerichs	Lemen	Piepho	Valan
Begich	Gruenes	Ludeman	Redalen	Valento
Berkelman	Halberg	Luknic	Rees	Weaver
Blatz	Haukoos	Marsh	Reif	Welker
Dempsey	Himle	McDonald	Rose	Wenzel
Den Ouden	Hoberg	Mehrkens	Schafer	Wieser
Drew	Jennings	Nelsen, B.	Schreiber	Wigley
Elioff	Kaley	Niehaus	Sherwood	Zubay
Erickson	Kalis	Olsen	Stowell	
Evans	Knickerbocker	Onnen	Svigum	

Those who voted in the negative were:

Anderson, G.	Greenfield	Lehto	Ogren	Simoneau
Anderson, I.	Gustafson	Long	Osthoff	Skoglund
Battaglia	Hanson	Mann	Otis	Staten
Brandl	Harens	McCarron	Peterson, D.	Stumpf
Brinkman	Hauge	McEachern	Pogemiller	Tomlinson
Byrne	Hokanson	Metzen	Reding	Vanasek
Carlson, D.	Hokr	Minne	Rice	Voss
Carlson, L.	Jacobs	Munger	Rodriguez, C.	Welch
Clark, K.	Johnson, C.	Murphy	Rodriguez, F.	Wynia
Clawson	Jude	Nelson, K.	Schoenfeld	Sprk. Sieben, H.
Dahlvang	Kahn	Norton	Shea	
Eken	Kelly	Novak	Sherman	
Ellingson	Kostohryz	O'Connor	Sieben, M.	

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

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.

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

The question was taken on the passage of the bill and the roll was called. There were 116 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Niehaus Valan

The bill was passed and its title agreed to.

H. F. No. 1811 was reported to the House.

Staten moved that H. F. No. 1811 be continued on Special Orders for one day. The motion prevailed.

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

The bill was read for the 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 73 yeas and 42 nays as follows:

Those who voted in the affirmative were:

Aasness	Halberg	Lemen	Piepho	Stowell
Ainley	Hauge	Ludeman	Redalen	Sviggum
Anderson, B.	Haukoos	Luknic	Reding	Swanson
Blatz	Himle	Mann	Rees	Valan
Brandl	Hoberg	Marsh	Reif	Valento
Brinkman	Hokanson	McDonald	Rodriguez, C.	Vellenga
Carlson, D.	Hokr	McEachern	Rodriguez, F.	Weaver
Dempsey	Jennings	Mehrkens	Rose	Welker
Den Ouden	Johnson, C.	Nelsen, B.	Samuelson	Wenzel
Drew	Johnson, D.	Niehaus	Schafer	Wieser
Erickson	Kaley	Nysether	Schoenfeld	Wigley
Evans	Kalis	O'Connor	Schreiber	Zubay
Fjoslien	Knickerbocker	Olsen	Sherman	Spkr. Sieben, H.
Frerichs	Kvam	Otis	Sherwood	
Gruenes	Laidig	Peterson, B.	Stadum	

Those who voted in the negative were:

Anderson, G.	Elioff	Kelly	Nelson, K.	Skoglund
Anderson, I.	Ellingson	Kostohryz	Norton	Stumpf
Battaglia	Greenfield	Lehto	Ogren	Vanasek
Begich	Gustafson	Long	Osthoff	Voss
Berkelman	Hanson	McCarron	Peterson, D.	Welch
Byrne	Harens	Metzen	Pogemiller	Wynia
Carlson, L.	Jacobs	Minne	Rice	
Clark, K.	Jude	Munger	Shea	
Dahlvang	Kahn	Murphy	Simoneau	

The bill was passed and its title agreed to.

H. F. No. 1887 was reported to the House.

Kelly moved that H. F. No. 1887 be continued on Special Orders for one day. The motion prevailed.

H. F. No. 2040 was reported to the House.

Wieser moved to amend H. F. No. 2040, the second engrossment, as follows:

Page 6, line 17, delete "*The provisions*"

Page 6, delete lines 18 and 19

A roll call was requested and properly seconded.

CALL OF THE HOUSE

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

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

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

The question recurred on the Wieser amendment and the roll was called.

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

There were 88 yeas and 28 nays as follows:

Those who voted in the affirmative were:

Aasness	Evans	Lehto	Novak	Schoenfeld
Ainley	Fjoslien	Lemen	Nysether	Schreiber
Anderson, B.	Frerichs	Long	O'Connor	Sherwood
Anderson, I.	Greenfield	Ludeman	Ogren	Stadum
Battaglia	Halberg	Luknic	Olsen	Stowell
Begich	Haukoos	Mann	Onnen	Stumpf
Berkelman	Hoberg	Marsh	Osthoff	Sviggum
Blatz	Hokanson	McCarron	Otis	Swanson
Brinkman	Hokr	McDonald	Peterson, B.	Valan
Byrne	Jennings	McEachern	Peterson, D.	Valento
Carlson, D.	Johnson, D.	Mehrkens	Redalen	Weaver
Carlson, L.	Jude	Metzen	Rees	Welker
Clawson	Kaley	Minne	Reif	Wenzel
Dahlvang	Kalis	Munger	Rice	Wieser
Dempsey	Knickerbocker	Murphy	Rodriguez, C.	Wigley
Den Ouden	Kostohryz	Nelsen, B.	Rose	Zubay
Elioff	Kvam	Nelson, K.	Samuelson	
Erickson	Laidig	Niehaus	Schafer	

Those who voted in the negative were:

Anderson, G.	Gruenes	Johnson, C.	Sherman	Voss
Brandl	Gustafson	Kahn	Sieben, M.	Welch
Clark, K.	Harens	Kelly	Simoneau	Wynia
Drew	Hauge	Norton	Skoglund	Spkr. Sieben, H.
Eken	Himle	Reding	Staten	
Ellingson	Jacobs	Shea	Vanasek	

The motion prevailed and the amendment was adopted.

Jennings moved that H. F. No. 2040, as amended, be referred to the Committee on Financial Institutions and Insurance.

A roll call was requested and properly seconded.

The question was taken on the Jennings motion and the roll was called.

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

There were 61 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Aasness	Halberg	Ludeman	Piepho	Swanson
Ainley	Hauge	Luknic	Redalen	Valan
Berkelman	Haukoos	Marsh	Rees	Valento
Blatz	Himle	McDonald	Reif	Vellenga
Carlson, D.	Hoberg	Mehrkens	Rodriguez, C.	Weaver
Dempsey	Hokr	Metzen	Rose	Welker
Den Ouden	Jennings	Nelsen, B.	Schafer	Wieser
Drew	Johnson, D.	Niehaus	Schreiber	Wigley
Erickson	Kaley	Nysether	Sherman	Zubay
Evans	Knickerbocker	Olsen	Sherwood	
Fjoslien	Kvam	Onnen	Stadum	
Frerichs	Laidig	Osthoff	Stowell	
Gruenes	Lemen	Peterson, B.	Svigum	

Those who voted in the negative were:

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

The motion did not prevail.

Peterson, B., moved to lay H. F. No. 2040, as amended, on the table.

A roll call was requested and properly seconded.

The question was taken on the Peterson, B., motion and the roll was called.

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

There were 44 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Aasness	Himle	McDonald	Rees	Swanson
Ainley	Hoberg	Mehrkens	Reif	Valan
Dempsey	Hokr	Metzen	Rose	Valento
Drew	Jennings	Nelsen, B.	Schafer	Weaver
Erickson	Kaley	Olsen	Sherman	Welker
Evans	Kvam	Osthoff	Sherwood	Wieser
Frerichs	Lemen	Peterson, B.	Stadum	Wigley
Gruenes	Ludeman	Piepho	Stowell	Zubay
Haukoos	Marsh	Redalen	Sviggum	

Those who voted in the negative were:

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

The motion did not prevail.

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.

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.

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

There were 60 yeas and 61 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Aasness	Halberg	Lemen	Piepho	Swanson
Ainley	Hauge	Ludeman	Redalen	Valan
Berkelman	Haukoos	Luknic	Rees	Valento
Blatz	Himle	Marsh	Reif	Vellenga
Carlson, D.	Hoberg	McDonald	Rose	Weaver
Dempsey	Hokr	Mehrrens	Schafer	Welker
Den Ouden	Jacobs	Metzen	Schreiber	Wieser
Drew	Jennings	Nelsen, B.	Sherman	Wigley
Erickson	Johnson, D.	Nysether	Sherwood	Zubay
Evans	Kaley	Olsen	Skoglund	
Fjoslien	Knickerbocker	Onnen	Stadum	
Frerichs	Kvam	Osthoff	Stowell	
Gruenes	Laidig	Peterson, B.	Sviggum	

The bill, as amended, was not passed.

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

Nysether moved that H. F. No. 1765, now on General Orders, be re-referred to the Committee on Education. The motion prevailed.

Pogemiller moved that H. F. No. 1809, now on General Orders, be re-referred to the Committee on Criminal Justice. The motion prevailed.

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

Kelly moved that S. F. No. 1888 be recalled from the Committee on Appropriations and together with H. F. No. 1887, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Otis moved that S. F. No. 1886 be recalled from the Committee on Appropriations and together with H. F. No. 1798, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Voss moved that S. F. No. 1588 be recalled from the Committee on Appropriations and together with H. F. No. 1566, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Reding moved that the name of Pogemiller be added as author on H. F. No. 1013. The motion prevailed.

Marsh moved that H. F. No. 2001 be returned to its author. The motion prevailed.

Rothenberg moved that H. F. Nos. 76 and 1927 be returned to their author. The motion prevailed.

Schreiber moved that H. F. Nos. 898 and 1759 be returned to their author. The motion prevailed.

Peterson, B., moved that H. F. Nos. 495 and 1926 be returned to their author. The motion prevailed.

Nelsen, B., moved that H. F. No. 1491 be returned to its author. The motion prevailed.

NOTICE OF INTENTION TO MOVE RECONSIDERATION

Pursuant to rule 3.4, Carlson, D., gave notice of intention to move reconsideration of the vote whereby H. F. No. 2040, as amended, was not passed earlier today.

Nelson, K.; Shea; Pogemiller; Staten and Peterson, D., introduced:

House Resolution No. 29, A house resolution congratulating the University of Minnesota Gophers Basketball team on winning the Big Ten Championship.

SUSPENSION OF RULES

Nelson, K., moved that the Rules be so far suspended that House Resolution No. 29 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 29

A house resolution congratulating the University of Minnesota Gophers Basketball team on winning the Big Ten Championship.

Whereas, the University of Minnesota Gophers Basketball team plays in the Big Ten Conference that is known nationally as one of the toughest basketball conferences in the nation; and,

Whereas, the team members throughout the season displayed a determined effort to win the conference under Jim Dutcher's skilled coaching; and,

Whereas, many games were played against rugged opposition including other teams rated during the year in the top twenty nationally; and,

Whereas, the team displayed not only skill but also consistent sportsmanship; and,

Whereas, all the Gopher games were exciting to watch and the season has resulted in new high levels of excitement among the Gophers fans; and,

Whereas, the Gophers finished the regular season in first place in the Big Ten Conference, their first championship since 1972, and with a seventh place national ranking; and,

Whereas, the season has truly been seen, as said by Darryl Mitchell, as "a championship for the state of Minnesota";

Now, Therefore,

Be It Resolved by the House of Representatives of the State of Minnesota that it congratulates the Gophers basketball team on its first place finish in the Big Ten Conference. It notes with pride that the team consistently displayed sportsmanship and fair play in all its games. On behalf of all Minnesotans, it extends wishes for the best of luck in the National Collegiate Athletic Association's post-season tournament.

Be It Further Resolved that particular recognition is extended to the five graduating seniors: Trent Tucker, Gary Holmes, Andy Thompson, Darryl Mitchell, and John Wiley. It was their skill and drive that was the prime cause of the victorious season.

Be It Further Resolved that the Chief Clerk is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Speaker, and that it be presented to the Gophers coach Jim Dutcher.

Nelson, K., moved to amend House Resolution No. 29, as follows:

Page 1, line 21, delete "seventh" and insert "sixth"

The motion prevailed and the amendment was adopted.

Nelson, K., moved that House Resolution No. 29, as amended, be now adopted. The motion prevailed and House Resolution No. 29, as amended, was adopted.

Nelsen, B., introduced:

House Resolution No. 30, A house resolution congratulating the Cardinals wrestling team from Staples High School for winning the 1982 Class A State High School Wrestling Championship.

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

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 12.30 p.m., Wednesday, March 10, 1982. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:30 p.m., Wednesday, March 10, 1982.

EDWARD A. BURDICK, Chief Clerk, House of Representatives