

STATE OF MINNESOTA

SEVENTY-SECOND SESSION - 1982

EIGHTY-SIXTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 10, 1982

The House of Representatives convened at 12:30 p.m. and was called to order by Harry A. Sieben, Jr., Speaker of the House.

Prayer was offered by Pastor Sue Hedahl, Lutheran Church of Peace, Maplewood, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Anderson, R. ; Frerichs and Searles were excused.

Ewald and Rothenberg were excused until 1:30 p.m. Brandl was excused until 2:00 p.m.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2262, 2277, 674, 1727, 2080, 1176, 1477, 1566, 1669, 1115, 1542, 2033, 2123, 1099, 2005, 2034 and 2190 and S. F. Nos. 1859, 1842, 1838 and 1666 have been placed in the members' files.

S. F. No. 1561 and H. F. No. 1691, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Hokanson moved that the rules be so far suspended that S. F. No. 1561 be substituted for H. F. No. 1691 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1908 and H. F. No. 1935, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Hokanson moved that the rules be so far suspended that S. F. No. 1908 be substituted for H. F. No. 1935 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1207 and H. F. No. 2147, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Peterson, D., moved that the rules be so far suspended that S. F. No. 1207 be substituted for H. F. No. 2147 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1740 and H. F. No. 1296, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Peterson, D., moved that the rules be so far suspended that S. F. No. 1740 be substituted for H. F. No. 1296 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1666 and H. F. No. 1826, 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. 1666 be substituted for H. F. No. 1826 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1809 and H. F. No. 2008, 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. 1809 be substituted for H. F. No. 2008 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1950 and H. F. No. 2092, 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. 1950 be substituted for H. F. No. 2092 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1888 and H. F. No. 1887, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Kelly moved that the rules be so far suspended that S. F. No. 1888 be substituted for H. F. No. 1887 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2125 and H. F. No. 2245, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Jude moved that the rules be so far suspended that S. F. No. 2125 be substituted for H. F. No. 2245 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1588 and H. F. No. 1566, 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. 1588 be substituted for H. F. No. 1566 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1949 and H. F. No. 2093, 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. 1949 be substituted for H. F. No. 2093 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1886 and H. F. No. 1798, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Otis moved that the rules be so far suspended that S. F. No. 1886 be substituted for H. F. No. 1798 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1838 and H. F. No. 1946, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Rees moved that the rules be so far suspended that S. F. No. 1838 be substituted for H. F. No. 1946 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1859 and H. F. No. 1982, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Anderson, I., moved that the rules be so far suspended that S. F. No. 1859 be substituted for H. F. No. 1982 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2141 and H. F. No. 1899, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Clawson moved that the rules be so far suspended that S. F. No. 2141 be substituted for H. F. No. 1899 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1894 and H. F. No. 1879, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Nelson, K., moved that the rules be so far suspended that S. F. No. 1894 be substituted for H. F. No. 1879 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 8, 1982

The Honorable Harry A. Sieben, Jr.
Speaker of the House
State of Minnesota

Dear Speaker Sieben:

I have the honor to inform you that I received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

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

H. F. No. 1637, relating to the standard of time; providing that the Minnesota standard of time conform to the federal standard of time;

H. F. No. 749, relating to real property; providing a fee for issuing noncertified copies of instruments or parts of instruments on file in the office of the registrar of titles;

H. F. No. 1612, a resolution memorializing the life and work of Sigurd F. Olson.

H. F. No. 1614, requiring certification of statutory operating debt for the Tower-Soudan school district in the amount of \$527,483.00.

Sincerely,

ALBERT H. QUIE
Governor

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

March 8, 1982

The Honorable Harry A. Sieben, Jr.
Speaker of the House of Representatives

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1982</i>	<i>Date Filed 1982</i>
	749	382	March 8	March 8
	1614	383	March 8	March 8
	1637	384	March 8	March 8
1521		385	March 8	March 8
1756		386	March 8	March 8
1582		387	March 8	March 8
709		388	March 8	March 8
	1724	389	March 8	March 8
	1612	Resolution 5	March 8	March 8

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Transportation to which was referred:

H. F. No. 2159, A bill for an act relating to transportation; providing for the coordination and regulation of special transportation services; prescribing the powers and duties of the commissioner of health; providing for the administration of financial assistance by the commissioner of transportation; proposing new law coded in Minnesota Statutes, Chapter 144; repealing Minnesota Statutes 1980, Sections 174.29 and 174.30.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 169.44, is amended by adding a subdivision to read:

Subd. 16. [LIQUEFIED PETROLEUM GAS.] School buses that use liquefied petroleum gas for motor fuel shall conform to the following:

(a) Any school bus using liquefied petroleum gas as a motor fuel shall be certified in writing by the installer to meet all standards for "Installation of LPG Systems on Vehicles", as promulgated by the national fire protection association;

(b) No fuel tanks shall be installed in the passenger compartment of the vehicle and no removable tanks will be permitted; and

(c) The owner shall retain the certification required in clause (a) for verification by personnel of the department of public safety and the department of education. This subdivision expires June 30, 1983.

Sec. 2. Minnesota Statutes 1980, Section 174.29, is amended to read:

174.29 [COORDINATION OF SPECIAL TRANSPORTATION SERVICE.]

Subdivision 1. [DEFINITION.] For the purpose of sections 174.29 to 174.31 "special transportation service" means motor vehicle transportation provided on a regular basis by a public or private entity or person that is designed exclusively or primarily to serve individuals who are elderly, handicapped, or disabled (, OR ECONOMICALLY DISADVANTAGED) and who are unable to use regular means of transportation. Special

transportation service includes but is not limited to service provided by specially equipped buses, vans, taxis, and volunteers driving private automobiles.

Subd. 2. [DIRECTION.] In order to provide more adequate access to transportation service for the elderly, handicapped and (OTHERS) *disabled* with special transportation needs and to more efficiently utilize public and private funds expended for that purpose, all state agencies that assist, provide, reimburse or regulate special transportation services shall promote, support and facilitate coordination of those services with other special services and with regular transportation services offered to the general public.

Sec. 3. Minnesota Statutes 1980, Section 174.30, is amended to read:

174.30 [OPERATING STANDARDS FOR SPECIAL TRANSPORTATION SERVICE.]

Subdivision 1. [(SPECIAL DEFINITION) *APPLICABILITY LIMITATIONS; BY TYPE OF PROVIDER; BY SOURCE OF FUNDS.*] (FOR THE PURPOSE OF THIS SECTION "SPECIAL TRANSPORTATION SERVICE" DOES NOT INCLUDE) *The operating standards for special transportation service adopted under this section do not apply to transportation provided by:*

- (a) A common carrier operating on fixed routes and schedules (,);
- (b) A taxi (,);
- (c) A volunteer driver using a private automobile (,);
- (d) A school bus as defined in section 169.01, subdivision 6 (,); or
- (e) An emergency ambulance regulated under chapter 144.

The operating standards adopted under this section only apply to providers of special transportation service who receive grants or other financial assistance from either the state or the federal government, or both, to provide or assist in providing that service; except that the operating standards adopted under this section do not apply to any nursing home licensed under section 144A.02, to any board and care facility licensed under section 144.50, or to any day care or group home facility licensed under sections 245.781 to 245.812 unless the facility or program provides transportation to nonresidents on a regular basis and the facility receives reimbursement, other than per diem payments,

for that service under rules promulgated by the commissioner of public welfare.

Subd. 2. [AUTHORITY TO ADOPT; PURPOSE AND CONTENT; RULEMAKING.] The commissioner of transportation shall adopt *by rule* standards for the operation of vehicles used to provide special transportation service which are reasonably necessary to protect the health and safety of individuals using that service. The commissioner, as far as practicable, consistent with the purpose of the standards, shall avoid adoption of standards that unduly restrict any public or private entity or person from providing special transportation service because of the administrative or other cost of compliance.

Standards adopted under this section may include but are not limited to:

- (a) Qualifications of drivers and attendants including driver training requirements;
- (b) Safety equipment required for vehicles;
- (c) General requirements concerning maintenance of standard equipment of vehicles; and
- (d) Minimum insurance requirements.

Subd. 3. [OTHER STANDARDS; WHEELCHAIR SECUREMENT.] A special transportation service that transports individuals occupying wheelchairs is subject to the provisions of sections 299A.11 to 299A.18 concerning wheelchair securement devices. The commissioners of transportation and public safety shall cooperate in the enforcement of this section and sections 299A.11 to 299A.18 so that a single inspection is sufficient to ascertain compliance with sections 299A.11 to 299A.18 and with the standards adopted under this section.

Subd. 4. [CERTIFICATE OF COMPLIANCE.] The commissioner of transportation shall issue an annual certificate of compliance for each vehicle used to provide special transportation service which complies with the standards adopted under this section. (A VEHICLE SUBJECT TO SUBDIVISION 3) *The commissioner shall (BE ISSUED) issue a certificate of compliance to a vehicle subject to subdivision 3 only if the vehicle also complies with sections 299A.11 to 299A.18. The commissioner shall provide in the rules procedures for determining compliance and issuing the certificates. The procedures may include inspection of vehicles and examination of drivers.*

Subd. 5. [RULES.] The (STANDARDS) *rules* authorized under (SUBDIVISION 2 AND THE PROCEDURES AUTHORIZED BY SUBDIVISION 4) *this section* shall be adopted

(BY RULE) in accordance with (CHAPTER 15. NOT LATER THAN NOVEMBER 15, 1979, AND BEFORE PROPOSING ANY RULES UNDER THIS SECTION THE COMMISSIONER SHALL:) *the provisions of the administrative procedures act, sections 15.041 to 15.052.*

(A) MAKE AVAILABLE A DRAFT OF THE RULES, A PLAN FOR ENFORCING THE RULES AND A PROPOSED BUDGET FOR THE NECESSARY ENFORCEMENT ACTIVITIES OF THE DEPARTMENT FOR REVIEW BY THE STANDING COMMITTEES ON TRANSPORTATION IN BOTH HOUSES OF THE LEGISLATURE; AND)

(B) REVIEW THE DRAFT RULES, ENFORCEMENT PLAN AND PROPOSED BUDGET WITH THE INTER-AGENCY TASK FORCE ON COORDINATION OF SPECIAL TRANSPORTATION SERVICE. THE COMMISSIONER SHALL ADOPT THE RULES NECESSARY TO IMPLEMENT THIS SECTION AND COMMENCE ENFORCEMENT OF THOSE RULES NOT LATER THAN JULY 1, 1980.)

Subd. 6. [PREEMPTION OF OTHER REQUIREMENTS.] Notwithstanding any other law, ordinance or resolution to the contrary, an operator of special transportation service that has been issued a current certificate of compliance under subdivision 4 for a vehicle used to provide that service (SHALL) *is not* (BE) required to obtain any other state or local permit, license or certificate as a condition of operating the vehicle for that purpose. This subdivision does not exempt any vehicle from the requirements imposed on vehicles generally as a condition of using the public streets and highways.

Subd. 7. [ENFORCEMENT.] (AFTER JANUARY 1, 1981,) No state agency, political subdivision or other public agency shall provide any capital or operating assistance to or reimbursement for services rendered by any operator of special transportation service unless current certificates of compliance have been issued under subdivision 4 for the vehicles used by the operator to provide the service.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day following final enactment."

Amend the title as follows:

Page 1, line 2, after the semicolon insert "regulating the operation of school buses using liquefied petroleum gas as motor fuel;"

Page 1, line 4, delete everything after the semicolon

Page 1, delete lines 5 to 9 and insert "amending Minnesota Statutes 1980, Sections 169.44, by adding a subdivision; 174.29; and 174.30."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 2159 was read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1561, 1908, 1207, 1740, 1666, 1809, 1950, 1888, 2125, 1588, 1949, 1886, 1838, 1859, 2141 and 1894 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced :

Fjoslien, Mann, Munger, Kalis and Carlson, D., introduced :

H. F. No. 2289, A bill for an act relating to taxation; redefining agricultural alcohol gasoline; changing the amount and duration of tax reduction for agricultural alcohol gasoline; providing for reciprocity with certain other states; amending Minnesota Statutes 1980, Sections 296.01, Subdivision 24; and 296.02, Subdivision 7.

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

Sieben, M., for the Committee on Appropriations, introduced :

H. F. No. 2290, A bill for an act relating to the organization and operation of state government; supplementing appropriations for the expenses of the department of revenue; appropriating money.

The bill was read for the first time and laid over one day.

HOUSE ADVISORIES

The following House Advisories were introduced :

Sarna, Kahn, Long, Pogemiller and Clark, J., introduced:

H. A. No. 65, A proposal to modify the area represented by members of the Minneapolis school board.

The advisory was referred to the Committee on Education.

Jacobs, Swanson and Greenfield introduced:

H. A. No. 66, A proposal to study ambulance costs in the various regions of the state.

The advisory was referred to the Committee on Health and Welfare.

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. 773, A bill for an act relating to marriage dissolution; adopting the revised uniform reciprocal enforcement of support act; proposing new law coded as Minnesota Statutes, Chapter 518C; repealing Minnesota Statutes 1980, Sections 518.41 to 518.53.

H. F. No. 1283, A bill for an act relating to crimes; lengthening the statute of limitations for prosecutions for certain crimes; amending Minnesota Statutes 1980, Section 628.26.

H. F. No. 1701, A bill for an act relating to the city of Hibbing; authorizing increases in certain firefighters service pensions and survivor benefits; amending Laws 1977, Chapter 169, Section 1 and Laws 1971, Chapter 614, Section 1, Subdivision 2.

H. F. No. 2011, A bill for an act relating to commerce; motor vehicle sale and distribution; providing for the termination or cancellation of franchise agreements and certain payments to be made by manufacturers in the event thereof; specifying certain circumstances establishing good cause for entering into or relocating an additional franchise for the same line make; amending Minnesota Statutes 1981 Supplement, Sections 80E.03, Subdivision 8; 80E.07, Subdivision 1; 80E.09, Subdivisions 1, 2 and 3; 80E.11, Subdivisions 2 and 6; and 80E.14, Subdivision 2; and proposing new law coded in Minnesota Statutes, Chapter 80E.

H. F. No. 2021, A bill for an act relating to local government; creating the Morrison County rural development finance author-

ity; authorizing the establishment of a development and redevelopment program and the authorization of powers for it.

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

H. F. No. 2098, A bill for an act relating to retirement; teachers retirement association; extending the time limit for the purchase of service credit for military service leaves of absence for certain veterans.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1794, A bill for an act relating to health; providing for an advisory task force to make recommendations on the distribution of funds for maternal and child health care needs; proposing new law coded in Minnesota Statutes, Chapter 145.

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. 1817, A bill for an act relating to transportation; adding a new route to the trunk highway system in substitution of an existing route; discontinuing and removing a route from the trunk highway system; providing for the disposal of surplus property; exempting the state transportation plan from the provisions of the administrative procedure act; requiring driver qualifications and safety requirements for certain motor carriers; regulating building movers and establishing fees; allowing expenditures from the state airports fund for educational programs to promote interest and safety in aeronautics; amending Minnesota Statutes 1980, Sections 161.41; 173.02, Subdivision 2; 174.03, Subdivisions 1 and 2; 360.015, Subdivision 2; 360.017, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 221.011, Subdivision 22; and 221.81; proposing new law coded in Minnesota Statutes, Chapter 221; repealing Minnesota Statutes 1981 Supplement, Section 161.465.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mehrkens moved that the House refuse to concur in the Senate amendments to H. F. No. 1817, 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. 1804, A bill for an act relating to partition fences; exempting certain lands from the provisions of chapter 344; proposing new law coded in Minnesota Statutes, Chapter 344.

PATRICK E. FLAHAVEN, Secretary of the Senate

Johnson, C., moved that the House refuse to concur in the Senate amendments to H. F. No. 1804, 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. 1499, A bill for an act relating to the commitment of persons who are mentally ill, mentally ill and dangerous, mentally retarded, or chemically dependent; providing for informal admissions by consent, involuntary emergency admissions and for involuntary commitment by civil judicial procedures; providing for rights of persons admitted under voluntary, emergency or involuntary judicial procedures; requiring pre-petition screening; providing for commitment hearings and procedures in conformance with due process; requiring a hearing and review before final determination of commitment; providing for commitment for determinate periods; providing for provisional discharge and partial hospitalization; requiring special review boards for mentally ill and dangerous and psychopathic personalities; establishing review boards for civilly committed persons; providing penalties; proposing new law coded in Minnesota Statutes, Chapter 253A; repealing Minnesota Statutes 1980, Sections 253A.01 to 253A.23.

PATRICK E. FLAHAVEN, Secretary of the Senate

Clawson moved that the House refuse to concur in the Senate amendments to H. F. No. 1499, 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. 2050, A bill for an act relating to crimes; establishing the crime of commercial bribery; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 609.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Greenfield moved that the House concur in the Senate amendments to H. F. No. 2050 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2050, A bill for an act relating to crimes; establishing the crime of commercial bribery; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 609.

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:

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

Rodriguez, C.	Schreiber	Stadum	Valan	Welker
Rodriguez, F.	Shea	Staten	Valento	Wenzel
Rose	Sherman	Stowell	Vanasek	Wieser
Samuelson	Sherwood	Stumpf	Vellenga	Wigley
Sarna	Sieben, M.	Sviggum	Voss	Wynia
Schafer	Simoneau	Swanson	Weaver	Zubay
Schoenfeld	Skoglund	Tomlinson	Welch	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. 1863, A bill for an act relating to credit unions; providing for approval of amendments to certificates of organization and bylaws; authorizing the board of directors to appoint a credit committee or a credit manager; prescribing the powers of a credit committee and credit manager; allowing certain non-members to establish individual retirement accounts; amending Minnesota Statutes 1980, Sections 52.02; 52.08; 52.09, Subdivisions 2 and 3; 52.10; and 52.135.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Greenfield moved that the House concur in the Senate amendments to H. F. No. 1863 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1863, A bill for an act relating to credit unions; providing for approval of amendments to certificates of organization and bylaws; authorizing the board of directors to appoint a credit committee or a credit manager; prescribing the powers of a credit committee and credit manager; allowing certain non-members to establish individual retirement accounts; amending Minnesota Statutes 1980, Sections 52.02; 52.08; 52.09, Subdivisions 2 and 3; 52.10; and 52.135.

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 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, B.	Anderson, I.	Begich	Blatz
Ainley	Anderson, G.	Battaglia	Berkelman	Brandl

Brinkman	Hauge	Ludeman	Otis	Skoglund
Byrne	Haukoos	Luknic	Peterson, B.	Stadum
Carlson, D.	Heap	Mann	Peterson, D.	Staten
Carlson, L.	Heinitz	Marsh	Piepho	Stowell
Clark, K.	Himle	McCarron	Pogemiller	Stumpf
Clawson	Hoberg	McDonald	Redalen	Sviggum
Dahlvang	Hokanson	McEachern	Reding	Swanson
Dempsey	Hokr	Mehrkens	Rees	Tomlinson
Den Ouden	Jacobs	Metzen	Reif	Valan
Drew	Jennings	Minne	Rice	Valento
Eken	Johnson, C.	Munger	Rodriguez, C.	Vanasek
Elioff	Johnson, D.	Murphy	Rodriguez, F.	Vellenga
Ellingson	Jude	Nelsen, B.	Rose	Voss
Erickson	Kahn	Nelson, K.	Samuelson	Weaver
Esau	Kaley	Niehaus	Sarna	Welch
Evans	Kalis	Norton	Schafer	Welker
Fjoslien	Kelly	Novak	Schoenfeld	Wenzel
Forsythe	Knickerbocker	Nysether	Schreiber	Wieser
Greenfield	Kostohryz	O'Connor	Shea	Wigley
Gruenes	Laidig	Ogren	Sherman	Wynia
Gustafson	Lehto	Olsen	Sherwood	Zubay
Halberg	Lemen	Onnen	Sieben, M.	Spkr. Sieben, H.
Hanson	Levi	Osthoff	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. 1786, A bill for an act relating to agriculture; changing certain procedures relating to fertilizers and soil and plant amendments; imposing a penalty; amending Minnesota Statutes 1980, Sections 17.713, by adding a subdivision; 17.721, Subdivision 2; and 17.728, as amended; Minnesota Statutes 1981 Supplement, Sections 17.713, Subdivisions 8, 12, 17a, and 20; 17.714, Subdivision 2; 17.716, Subdivision 6; 17.719, Subdivision 1, and by adding a subdivision; 17.721, Subdivision 1; 17.725, Subdivision 1; and 17.726; proposing new law coded in Minnesota Statutes, Chapter 17.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Stowell moved that the House concur in the Senate amendments to H. F. No. 1786 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1786, A bill for an act relating to agriculture; changing certain procedures relating to fertilizers and soil and plant amendments; requiring adoption of rules concerning analysis of sewage sludge; imposing a penalty; amending Minnesota Stat-

utes 1980, Sections 17.713, by adding a subdivision; 17.721, Subdivision 2; and 17.728, as amended; Minnesota Statutes 1981 Supplement, Sections 17.713, Subdivisions 8, 12, 17a, and 20; 17.714, Subdivision 2; 17.716, Subdivision 6; 17.719, Subdivision 1, and by adding a subdivision; 17.721, Subdivision 1; 17.725, Subdivision 1; 17.726; and 116.07, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 17.

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 123 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B. Welker

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. 1735, A bill for an act relating to retirement; Hennepin county supplemental retirement program; providing for

a phase out of the program; authorizing current participants to withdraw from the program; providing for an increased withdrawal benefit option in certain instances; amending Laws 1969, Chapter 950, Sections 1, 2, 3, as amended, 4, as amended, 5 and 6; repealing Laws 1969, Chapter 950, Section 8.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Pogemiller moved that the House concur in the Senate amendments to H. F. No. 1735 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1735, A bill for an act relating to retirement; Hennepin county supplemental retirement program; providing for a phase out of the program; authorizing current participants to withdraw from the program; providing for an increased withdrawal benefit option in certain instances; amending Laws 1969, Chapter 950, Sections 1, 2, 3, as amended, 4, as amended, 5 and 6; repealing Laws 1969, Chapter 950, Section 8.

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 0 nays as follows:

Those who voted in the affirmative were:

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

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. 1707, A bill for an act relating to transportation; allowing certain vehicles to cross certain railroad crossings without stopping; removing the requirement for designated routes for certain buses; modifying the public transit capital grant assistance program; providing for public transit contract procedures; amending Minnesota Statutes 1980, Sections 169.28; 169.29; 169.80, Subdivisions 2 and 2a; 174.245; Laws 1981, Chapter 363, Section 55, Subdivision 1, as amended; repealing Minnesota Statutes 1980, Section 219.21.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Rodriguez, C., moved that the House concur in the Senate amendments to H. F. No. 1707 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1707, A bill for an act relating to transportation; allowing certain vehicles to cross certain railroad crossings without stopping; removing certain geographical operating limitations on passenger motor buses; removing the requirement for designated routes for intercity buses; modifying the public transit capital grant assistance program; modifying certain public transit contract procedures; amending Minnesota Statutes 1980, Sections 169.28; 169.29; 169.80, Subdivisions 2 and 2a; 174.245; Laws 1981, Chapter 363, Section 55, Subdivision 1, as amended; repealing Minnesota Statutes 1980, Section 219.21.

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 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Clark, K.	Forsythe	Jacobs	Lemen
Ainley	Clawson	Greenfield	Jennings	Levi
Anderson, B.	Dahlvang	Gruenes	Johnson, C.	Long
Anderson, G.	Dempsey	Gustafson	Johnson, D.	Ludeman
Anderson, I.	Den Ouden	Halberg	Jude	Luknic
Battaglia	Drew	Hauge	Kaley	Mann
Begich	Eken	Haukoos	Kalis	Marsh
Berkelman	Elioff	Heap	Kelly	McCarron
Blatz	Ellingson	Heinitz	Knickerbocker	McDonald
Brinkman	Erickson	Himle	Kostohryz	McEachern
Byrne	Esau	Hoberg	Kvam	Mehrkens
Carlson, D.	Evans	Hokanson	Laidig	Metzen
Carlson, L.	Fjoslien	Hokr	Lehto	Minne

Munger	Osthoff	Rodriguez, F.	Skoglund	Weaver
Murphy	Otis	Rose	Stadum	Welch
Nelsen, B.	Peterson, B.	Samuelson	Stowell	Weiker
Nelson, K.	Peterson, D.	Sarna	Stumpf	Wenzel
Niehaus	Piepho	Schafer	Sviggum	Wieser
Norton	Pogemiller	Schoenfeld	Swanson	Wigley
Novak	Redalen	Schreiber	Tomlinson	Wynia
Nysether	Reding	Shea	Valan	Zubay
O'Connor	Rees	Sherman	Valento	Spkr. Sieben, H.
Ogren	Reif	Sherwood	Vanasek	
Olsen	Rice	Sieben, M.	Vellenga	
Onnen	Rodriguez, C.	Simoneau	Voss	

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. 1580, A bill for an act relating to state lands; providing for the conveyance of certain tax forfeited lands.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Samuelson moved that the House concur in the Senate amendments to H. F. No. 1580 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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	Carlson, L.	Evans	Himle	Kelly
Ainley	Clark, K.	Fjoslien	Hoberg	Knickerbocker
Anderson, B.	Clawson	Forsythe	Hokanson	Kostohryz
Anderson, G.	Dahlvang	Greenfield	Hokr	Kvam
Anderson, I.	Dempsey	Gruenes	Jacobs	Laidig
Battaglia	Den Ouden	Gustafson	Jennings	Lehto
Begich	Drew	Halberg	Johnson, C.	Lemen
Berkelman	Eken	Hanson	Johnson, D.	Levi
Blatz	Elioff	Hauge	Jude	Long
Brinkman	Ellingson	Haukoos	Kahn	Ludeman
Byrne	Erickson	Heap	Kaley	Luknic
Carlson, D.	Esau	Heinitz	Kalis	Mann

Marsh	Novak	Reding	Sherman	Valento
McCarron	Nysether	Rees	Sherwood	Vanasek
McDonald	O'Connor	Reif	Sieben, M.	Vellenga
McEachern	Ogren	Rice	Simoneau	Voss
Mehrkens	Olsen	Rodriguez, C.	Skoglund	Weaver
Metzen	Onnen	Rodriguez, F.	Stadum	Welch
Minne	Osthoff	Rose	Staten	Welker
Munger	Otis	Samuelson	Stowell	Wenzel
Murphy	Peterson, B.	Sarna	Stumpf	Wieser
Nelsen, B.	Peterson, D.	Schafer	Sviggum	Wigley
Nelson, K.	Piepho	Schoenfeld	Swanson	Wynia
Niehaus	Pogemiller	Schreiber	Tomlinson	Zubay
Norton	Redalen	Shea	Valan	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. 1234, A bill for an act relating to employees and officials of the state; hospital and medical benefits for retired or disabled state officials and employees; amending Minnesota Statutes 1980, Section 471.61, Subdivision 2a.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Tomlinson moved that the House concur in the Senate amendments to H. F. No. 1234 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1234, A bill for an act relating to employees and officials of the state; clarifying certain hospital and medical benefits for retired or disabled state officials and employees; amending Minnesota Statutes 1980, Section 471.61, Subdivision 2a.

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 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, I.	Blatz	Carlson, L.	Dempsey
Ainley	Battaglia	Brinkman	Clark, K.	Den Ouden
Anderson, B.	Begich	Byrne	Clawson	Drew
Anderson, G.	Berkelman	Carlson, D.	Dahlvang	Eken

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

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

Mr. Speaker :

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

S. F. Nos. 588, 1682, 1723, 1765, 1948, 2051 and 2127.

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. 1780.

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. 1336.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 588, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; revising certain restrictions on highway bonds.

The bill was read for the first time.

Anderson, G., moved that S. F. No. 588 and H. F. No. 674, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1682, A bill for an act relating to local government; permitting various leases and installment purchases of equipment; providing for their tax and fiscal treatment; amending Minnesota Statutes 1980, Sections 168.012, by adding a subdivision; 297B.03; and 465.71; Minnesota Statutes 1981 Supplement, Section 297A.25, Subdivision 1.

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

S. F. No. 1723, A bill for an act relating to retirement; Minnesota state retirement system; imposing liability for certain omitted employee contributions on the employing unit; elective state officers retirement plan; providing benefit adjustments for retired constitutional officers and surviving spouses; amending Minnesota Statutes 1980, Section 352.04, Subdivision 8; proposing new law coded in Minnesota Statutes, Chapter 352C.

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

S. F. No. 1765, A bill for an act relating to game and fish; removing the restriction upon issuance of wild turkey licenses; amending Minnesota Statutes 1980, Section 100.271, Subdivision 3a.

The bill was read for the first time.

Mehrkens moved that S. F. No. 1765 and H. F. No. 1844, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1948, A bill for an act relating to the Hennepin County park reserve district and the city of Anoka; authorizing the district to participate in hydroelectric power generation with other local government units under certain conditions.

The bill was read for the first time.

Ellingson moved that S. F. No. 1948 and H. F. No. 2228, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2051, A bill for an act relating to rural development; changing the purposes of rural development financing authorities; providing for small business finance agency loans to a farm

business; amending Minnesota Statutes 1980, Sections 362.52, Subdivision 3; 362A.01, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 362.50, Subdivisions 5 and 9.

The bill was read for the first time.

Kalis moved that S. F. No. 2051 and H. F. No. 2238, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2127, A resolution memorializing the President and Congress of the United States to take immediate steps to curb the sources of acid rain.

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

S. F. No. 1780, A bill for an act relating to highway traffic regulations; governing the movement of certain vehicles on certain highways; allowing the use of certain combinations of vehicles; allowing certain axle weight combinations; establishing allowable axle weight combinations; establishing allowable axle weights on restricted routes; modifying the distribution of receipts collected as fines; amending Minnesota Statutes 1980, Section 169.80, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 169.81, Subdivision 3; 169.825, Subdivisions 8, 10, and 12; 299D.03, Subdivision 5; repealing Minnesota Statutes 1981 Supplement, Section 169.861.

The bill was read for the first time.

Anderson, G., moved that S. F. No. 1780 and H. F. No. 1815, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1336, A bill for an act relating to financial institutions; redefining "contract for deed" to include sales of mobile homes used as a residence by the seller; amending Minnesota Statutes 1981 Supplement, Section 47.20, Subdivision 2.

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

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1499:

Clawson, Jude and Gruenes.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1804:

Johnson, C.; Murphy and Laidig.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1817:

Mehrkens, Dahlvang and Anderson, G.

CONSENT CALENDAR

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

S. F. No. 2048, A bill for an act relating to state parks; restating the boundaries of Tower Soudan state park; authorizing conveyance of certain park lands.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

The bill was read for the 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 123 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Lehto

The bill was passed and its title agreed to.

S. F. No. 1631, A bill for an act relating to the Red River watershed; naming all counties in which the special taxing authority of certain watershed districts applies; amending Laws 1976, Chapter 162, Section 1.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1967, A bill for an act relating to highway traffic regulations; including a person in a wheelchair within the definition of pedestrian; amending Minnesota Statutes 1980, Sections 169.01, Subdivision 24, and by adding a subdivision; and 169.21, Subdivision 5.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

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

The bill was read for the 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 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

SPECIAL ORDERS

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

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

H. F. No. 352 was reported to the House.

Kelly moved to amend H. F. No. 352, the second engrossment, as follows:

Page 1, after line 18, insert:

“Section 1. [609.5811] [DEFINITIONS; SCOPE.]

Subdivision 1. [LAWFUL ENTRY.] Whoever enters a building while open to the general public does so with consent except when consent was previously expressly withdrawn.

Subd. 2. [DEFINITIONS.] For the purposes of sections 2 to 7 and 609.59, the terms in this subdivision have the meanings given them and the principles set forth in this section apply.

“Building” means a dwelling or other structure suitable for or affording shelter for human beings or appurtenant to or connected with a structure so adapted, and includes portions of such structures separately occupied.

“Dwelling” means a structure used as a permanent or temporary residence.

Sec. 2. [609.5812] [BURGLARY IN THE FIRST DEGREE.]

Whoever, under any of the following circumstances, enters a building without the consent of the person in lawful possession, or whoever enters a building by using artifice, trick, or misrepresentation to obtain consent to enter from the person of lawful possession, with intent to commit a crime in it, or remains in a building without the consent of the person in lawful possession, with intent to commit a crime in it, commits burglary in the first degree 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:

(1) *The building he enters is a dwelling;*

(2) *The portion of the building he enters contains a banking business or other business of receiving securities or other valu-*

able papers for deposit or safekeeping, the entry is with force or threat of force, and the intent is to steal or commit felony in it; or

(3) When entering or while in the building, he possesses a dangerous weapon or explosive, or commits an assault upon a person present in the building entered.

Sec. 3. [609.5813] [BURGLARY IN THE SECOND DEGREE.]

Whoever, under either of the following circumstances, when burglary in the first degree is not committed, enters a building without the consent of the person in lawful possession, or whoever enters a building by using artifice, trick, or misrepresentation to obtain consent to enter from the person in lawful possession, with intent to commit a crime in it, commits burglary in the second degree and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both:

(1) When entering or while in the building, he possesses a tool to gain access to money or property; or

(2) The intent is to steal or commit a felony or gross misdemeanor.

Sec. 4. [609.5814] [BURGLARY IN THE THIRD DEGREE.]

Whoever, when burglary in the first or second degree is not committed, enters a building without the consent of the person in lawful possession, with intent to commit a misdemeanor in it, or remains in a building without the consent of the person in lawful possession, with intent to commit a felony or gross misdemeanor in it, commits burglary in the third degree and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both.

Sec. 5. Minnesota Statutes 1980, Section 609.585, is amended to read:

609.585 [DOUBLE JEOPARDY.]

Subdivision 1. [GENERAL.] A prosecution for or conviction of the crime of burglary is not a bar to conviction of any other crime committed on entering or while in the building entered.

Subd. 2. [CONSECUTIVE SENTENCES.] Notwithstanding the provisions of section 609.15, subdivision 1, sentences for violations of section 2 or section 3 and for any other crime com-

mitted on entering or while in the building entered shall be presumed to be consecutive to each other."

Page 5, delete lines 34 to 36

Page 6, delete lines 1 to 15 and insert:

"(b) intentionally prevents or dissuades or attempts to prevent or dissuade by means of any act described in section 609.27, subdivision 1, clauses (3), (4), or (5), a person from providing information to law enforcement authorities concerning a crime.

Subd. 4. [SENTENCE.] Whoever violates subdivision 3 may be sentenced to imprisonment for not more than one year or to payment of a fine not to exceed \$1,000."

Page 14, after line 7, insert:

"Sec. 20. [REPEALER.]

Minnesota Statutes 1980, Section 609.58, is repealed."

Renumber succeeding section accordingly.

Page 14, line 9, delete "14" and insert "20"

Page 14, line 9, delete "August" and insert "July"

Renumber the sections, subdivisions, or clauses as may be required by this amendment.

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "establishing classifications for the crime of burglary; prescribing penalties for burglary offenses;"

Page 1, line 15, delete "as" and insert "in"

Page 1, line 15, delete "Chapter" and insert "Chapters 609 and"

Page 1, line 16, delete the period and insert "; repealing Minnesota Statutes 1980, Section 609.58."

The motion prevailed and the amendment was adopted.

H. F. No. 352, A bill for an act relating to crimes; establishing classifications for the crime of burglary; prescribing penal-

ties for burglary offenses; affirming the right of victims to bring actions against offenders; establishing the right of a victim to request restitution; providing for implementation of victim and witness rights by law; providing penal sanctions and judicial mechanisms to deter intimidation of witnesses; requiring criminal justice agencies to inform victims of financial assistance and social services; providing for minimal victim participation in the criminal process; providing penalties; amending Minnesota Statutes 1980, Sections 241.26, Subdivisions 5 and 6; 243.23, Subdivision 3; 571.55, by adding a subdivision; 609.115; 609.498; and 631.425, Subdivision 5; proposing new law coded in Minnesota Statutes, Chapters 609 and 611A; repealing Minnesota Statutes 1980, Section 609.58.

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 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Berkelman was excused between the hours of 1:30 and 2:15 p.m.

S. F. No. 412, A bill for an act relating to commerce; providing that married couples filing petitions in bankruptcy select either state or federal exemptions; proposing new law coded in Minnesota Statutes, Chapter 550.

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 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1642 was reported to the House.

Wynia moved that H. F. No. 1642 be continued on Special Orders. The motion prevailed.

H. F. No. 1934 was reported to the House.

Long moved that H. F. No. 1934 be continued on Special Orders. The motion prevailed.

H. F. No. 930 was reported to the House.

Ellingson moved that H. F. No. 930 be continued on Special Orders. The motion prevailed.

S. F. No. 1566, A bill for an act relating to the environment; expediting the receipt of federal moneys for emergency response to hazardous waste releases; expediting the variance issuance procedures of the pollution control agency; amending Minnesota Statutes 1980, Sections 116.03, Subdivision 3; and 116.07, Subdivision 5.

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

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1644 was reported to the House.

Stadum offered an amendment to S. F. No. 1644.

CALL OF THE HOUSE

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

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

Onnen	Rees	Shea	Swiggum	Welker
Osthoff	Reif	Sherman	Swanson	Wenzel
Otis	Rice	Sherwood	Tomlinson	Wieser
Peterson, B.	Rodriguez, C.	Simoneau	Valan	Wigley
Peterson, D.	Rodriguez, F.	Skoglund	Valento	Zubay
Piepho	Sarna	Stadum	Vellenga	
Pogemiller	Schafer	Staten	Voss	
Redalen	Schoenfeld	Stowell	Weaver	
Reding	Schreiber	Stumpf	Welch	

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

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

Jennings appealed the decision of the Chair.

A roll call was requested and properly seconded.

Simoneau moved to lay the appeal of the decision of the Chair on the table.

A roll call was requested and properly seconded.

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

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

There were 66 yeas and 63 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

S. F. No. 1644, A bill for an act relating to securities; removing the exemption from filing fees for an agent who is a primary officer, partner, or director of a licensed broker-dealer; amending Minnesota Statutes 1981 Supplement, Section 80A.28, Subdivision 2.

The bill was read for the third time 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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed 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.

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

GENERAL ORDERS

Simoneau moved that the bills on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Onnen moved that S. F. No. 1713 be recalled from the Committee on Transportation and together with H. F. No. 2159, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Kalis moved that the name of Schoenfeld be added as an author on H. F. No. 2238. The motion prevailed.

Otis moved that H. F. No. 1840 be recalled from the Senate for further consideration by the House.

CALL OF THE HOUSE

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

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

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

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

Jennings raised a point of order that the Otis motion to recall H. F. No. 1840 from the Senate was out of order. The Speaker ruled the point of order not well taken and the Otis motion to recall H. F. No. 1840 from the Senate in order.

Jennings moved to lay the Otis motion on the table.

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 60 yeas and 67 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G.	Clark, J.	Greenfield	Johnson, C.	Long
Anderson, I.	Clark, K.	Gustafson	Jude	Mann
Battaglia	Clawson	Hanson	Kahn	McCarron
Begich	Dahlvang	Harens	Kalis	McEachern
Brinkman	Eken	Hauge	Kelly	Metzen
Byrne	Elioff	Hokanson	Kostohryz	Minne
Carlson, L.	Ellingson	Jacobs	Lehto	Munger

Murphy	Otis	Samuelson	Staten	Welch
Nelson, K.	Peterson, D.	Sarna	Stumpf	Wenzel
Norton	Pogemiller	Schoenfeld	Swanson	Wynia
Novak	Reding	Shea	Tomlinson	Spkr. Sieben, H.
O'Connor	Rice	Sieben, M.	Vanasek	
Ogren	Rodriguez, C.	Simoneau	Vellenga	
Osthoff	Rodriguez, F.	Skoglund	Voss	

The motion did not prevail.

The question recurred on the Otis motion that H. F. No. 1840 be recalled from the Senate. The motion prevailed.

Samuelson introduced:

House Resolution No. 31, A house resolution congratulating the Warriors wrestling team from Brainerd High School for winning the 1982 Class AA State High School Wrestling Championship.

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

Begich, Battaglia, Elioff, Minne and Anderson, I., introduced:

House Resolution No. 32, A house resolution urging the President and Congress of the United States to resist attempts by the World Bank to assist on the construction of a taconite facility in Brazil.

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

Eken moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Eken, from the Committee on Rules and Legislative Administration, pursuant to Rule 1.9, designated the following bills as a Special Order to be added to Special Orders pending for Wednesday, March 10, 1982:

H. F. Nos. 1558, 376, 674, 1727 and 1176 and S. F. Nos. 1840, 1715, 1907, 1640, 2000, 1702, 1691, 1015, 1522 and 1443, and H. F. No. 1764, and S. F. Nos. 1684, 1821, 1591, 1677, 1256, 1481, 1231, 1539, 1621, 1605, 1641, 1853, 1758 and 85.

CALL OF THE HOUSE LIFTED

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

There being no objection, the order of business reverted to Special Orders.

SPECIAL ORDERS

H. F. No. 1558 was reported to the House.

Simoneau moved that H. F. No. 1558 be continued on Special Orders. The motion prevailed.

H. F. No. 376 was reported to the House.

Reding moved that H. F. No. 376 be continued on Special Orders. The motion prevailed.

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, Chapters 480A; and 632; repealing Minnesota Statutes 1980, Sections 80A.24, Subdivision 3; 363.10; 473.597; and 525.74.

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

The question was taken on the passage of the bill and the roll was called. There were 110 yeas and 7 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Heap	Levi	O'Connor
Anderson, B.	Drew	Heinitz	Long	Ogren
Anderson, G.	Eken	Himle	Ludeman	Olsen
Anderson, I.	Elioff	Hoberg	Luknic	Otis
Battaglia	Ellingson	Hokanson	Mann	Peterson, B.
Begich	Erickson	Hokr	McDonald	Peterson, D.
Berkelman	Ewald	Jacobs	McEachern	Piepho
Blatz	Fjoslien	Jennings	Mehrkens	Pogemiller
Brandl	Forsythe	Johnson, D.	Metzen	Redalen
Brinkman	Greenfield	Jude	Minne	Rees
Carlson, D.	Gruenes	Kahn	Munger	Reif
Carlson, L.	Gustafson	Kalis	Murphy	Rice
Clark, J.	Halberg	Knickerbocker	Nelsen, B.	Rodriguez, C.
Clawson	Hanson	Kostohryz	Nelson, K.	Rodriguez, F.
Dahlvang	Harens	Kvam	Niehaus	Samuelson
Dean	Hauge	Laidig	Novak	Sarna
Dempsey	Haukoos	Lehto	Nysether	Schafer

Schoenfeld	Simoneau	Sviggum	Vellenga	Wieser
Schreiber	Skoglund	Swanson	Voss	Wigley
Shea	Staten	Tomlinson	Weaver	Wynia
Sherman	Stowell	Valan	Welch	Zubay
Sieben, M.	Stumpf	Vanasek	Wenzel	Spkr. Sieben, H.

Those who voted in the negative were:

Ainley	Lemen	Onnen	Osthoff	Sherwood
Kelly	Marsh			

The bill was passed and its title agreed to.

H. F. No. 1176 was reported to the House.

Heinitz moved to amend H. F. No. 1176, the fourth engrossment, as follows:

Page 5, line 35, delete "*Except as otherwise*" and delete line 36.

Page 6, strike lines 1 through 4 and insert:

"Any person who intentionally or through gross or culpable negligence or reckless acts is responsible for a release or threatened release of a hazardous substance from a facility shall be strictly liable, jointly and severally, for."

Page 6, after line 25, insert:

"Any person who has acted reasonably under the circumstances involved in the release or threatened release of a hazardous substance shall be liable under applicable state and federal laws, including common law, for any economic loss, personal injury or disease resulting from the release or threatened release."

A roll call was requested and properly seconded.

CALL OF THE HOUSE

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

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

Kvam	Minne	Peterson, B.	Schoenfeld	Voss
Laidig	Munger	Peterson, D.	Schreiber	Weaver
Lehto	Murphy	Piepho	Sherwood	Welch
Lemen	Nelson, K.	Redalen	Sieben, M.	Wenzel
Levi	Niehaus	Reding	Skoglund	Wieser
Long	Norton	Rees	Staten	Wigley
Ludeman	Novak	Reif	Sviggum	Wynia
Luknic	Nysether	Rodriguez, C.	Swanson	Zubay
Mann	O'Connor	Rodriguez, F.	Tomlinson	Spkr. Sieben, H.
Marsh	Olsen	Rose	Valan	
McEachern	Onnen	Samuelson	Valento	
Mehrkens	Osthoff	Sarna	Vanasek	
Metzen	Otis	Schafer	Vellenga	

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.

Halberg moved to amend the Heinitz amendment to H. F. No. 1176, the fourth engrossment, as follows:

Line 3, delete "*intentionally*" and insert "*unintentionally*"

Line 5, delete "*strictly*"

A roll call was requested and properly seconded.

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

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

There were 7 yeas and 114 nays as follows:

Those who voted in the affirmative were:

Dean	Hoberg	Lehto	Shea	Spkr. Sieben, H.
Halberg	Laidig			

Those who voted in the negative were:

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

Peterson, D.	Rodriguez, F.	Sherman	Sviggum	Welch
Piepho	Rose	Sherwood	Swanson	Welker
Pogemiller	Rothenberg	Simoneau	Tomlinson	Wenzel
Redalen	Samuelson	Skoglund	Vaian	Wieser
Reding	Sarna	Stadum	Valento	Wigley
Rees	Schafer	Staten	Vanasek	Wynia
Reif	Schoenfeld	Stowell	Voss	Zubay
Rice	Schreiber	Stumpf	Weaver	

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

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

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

There were 50 yeas and 74 nays as follows :

Those who voted in the affirmative were :

Aasness	Haukoos	Kvam	Nelsen, B.	Sherwood
Ainley	Heap	Lemen	Niehaus	Stadum
Blatz	Heinitz	Levi	Nysether	Stowell
Brinkman	Himle	Ludeman	Olsen	Sviggum
Den Ouden	Hokr	Luknic	Osthoff	Valento
Erickson	Jennings	Mann	Piepho	Weaver
Esau	Johnson, C.	Marsh	Reif	Welker
Ewald	Johnson, D.	McDonald	Schafer	Wieser
Fjoslien	Kaley	Mehrkens	Schreiber	Wigley
Forsythe	Kalis	Metzen	Sherman	Zubay

Those who voted in the negative were :

Anderson, B.	Elioff	Laidig	Peterson, D.	Simoneau
Anderson, G.	Ellingson	Lehto	Pogemiller	Skoglund
Anderson, I.	Greenfield	Long	Redalen	Staten
Battaglia	Gruenes	McEachern	Reding	Stumpf
Begich	Gustafson	Minne	Rees	Swanson
Berkelman	Halberg	Munger	Rice	Tomlinson
Brandl	Hanson	Murphy	Rodriguez, C.	Valan
Carlson, D.	Harens	Nelson, K.	Rodriguez, F.	Vanasek
Carlson, L.	Hauge	Norton	Rose	Vellenga
Clark, J.	Hoberg	Novak	Rothenberg	Voss
Clark, K.	Hokanson	O'Connor	Samuelson	Welch
Clawson	Jacobs	Ogren	Sarna	Wenzel
Dahlvang	Jude	Onnen	Schoenfeld	Wynia
Dean	Kahn	Otis	Shea	Spkr. Sieben, H.
Dempsey	Kostohryz	Peterson, B.	Sieben, M.	

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

Dempsey, Wigley, Esau and Fjoslien moved to amend H. F. No. 1176, the fourth engrossment, as follows :

Page 3, line 33, delete everything after "or"

A roll call was requested and properly seconded.

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

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

There were 68 yeas and 57 nays as follows :

Those who voted in the affirmative were :

Aasness	Gruenes	Laidig	Olsen	Sherwood
Ainley	Halberg	Lemen	Onnen	Stadum
Berkelman	Haukoos	Levi	Peterson, B.	Stowell
Blatz	Heap	Ludeman	Piepho	Stumpf
Carlson, D.	Heinitz	Luknic	Redalen	Sviggum
Dean	Himle	Mann	Rees	Valan
Dempsey	Hoberg	Marsh	Reif	Valento
Den Ouden	Hokr	McDonald	Rodriguez, C.	Weaver
Drew	Jennings	McEachern	Rose	Weiker
Erickson	Johnson, C.	Mehrkens	Samuelson	Wieser
Esau	Johnson, D.	Metzen	Schafer	Wigley
Ewald	Kalis	Nelsen, B.	Schoenfeld	Zubay
Fjoslien	Knickerbocker	Niehaus	Schreiber	
Forsythe	Kvam	Nysether	Sherman	

Those who voted in the negative were :

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

The motion prevailed and the amendment was adopted.

Himle moved to amend H. F. No. 1176, the fourth engrossment, as amended, as follows :

Page 8, line 32, after the period insert "*The liability of any other responsible person shall not exceed \$1,000,000 to any plaintiff and \$5,000,000 for any number of claims arising out of the same release or threatened release.*"

Amend the title :

Page 1, line 7, after "costs," insert "limitation of liability"

A roll call was requested and properly seconded.

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

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

There were 23 yeas and 98 nays as follows :

Those who voted in the affirmative were :

Aasness	Haukoos	Kaley	Reif	Weaver
Brinkman	Heap	Kvam	Schafer	Wieser
Dempsey	Heinitz	Mann	Schreiber	Wigley
Erickson	Himle	Mehrkens	Stadum	
Fjoslien	Jennings	Niehaus	Sviggum	

Those who voted in the negative were :

Ainley	Ellingson	Knickerbocker	Ogren	Sherwood
Anderson, B.	Esau	Laidig	Olsen	Sieben, M.
Anderson, G.	Ewald	Lehto	Onnen	Simoneau
Anderson, I.	Forsythe	Lemen	Osthoff	Skoglund
Battaglia	Greenfield	Long	Otis	Staten
Begich	Gruenes	Ludeman	Peterson, B.	Stowell
Berkelman	Gustafson	Luknic	Peterson, D.	Stumpf
Blatz	Halberg	Marsh	Piepho	Swanson
Brandl	Hanson	McDonald	Pogemiller	Tomlinson
Carlson, D.	Harens	McEachern	Redalen	Valan
Carlson, L.	Hauge	Metzen	Rees	Vanasek
Clark, J.	Hoberg	Minne	Rice	Vellenga
Clark, K.	Hokanson	Munger	Rodriguez, C.	Voss
Clawson	Jacobs	Murphy	Rodriguez, F.	Welch
Dahlvang	Johnson, C.	Nelsen, B.	Rose	Welker
Dean	Johnson, D.	Nelson, K.	Rothenberg	Wenzel
Den Ouden	Jude	Norton	Sarna	Wynia
Drew	Kahn	Novak	Schoenfeld	Spkr. Sieben, H.
Eken	Kalis	Nysether	Shea	
Elioff	Kelly	O'Connor	Sherman	

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

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.

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.

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

There were 103 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Fjoslien	Laidig	Osthoff	Simoneau
Anderson, G.	Forsythe	Lehto	Otis	Skoglund
Anderson, I.	Greenfield	Lemen	Peterson, B.	Stadum
Battaglia	Gruenes	Levi	Peterson, D.	Staten
Begich	Gustafson	Long	Piepho	Stowell
Berkelman	Halberg	Luknic	Pogemiller	Stumpf
Blatz	Hanson	Mann	Redalen	Swanson
Brandl	Harens	Marsh	Reding	Tomlinson
Carlson, D.	Haugc	McEachern	Rees	Valan
Carlson, L.	Heap	Metzen	Reif	Valento
Clark, J.	Himle	Minne	Rice	Vanasek
Clark, K.	Hoberg	Munger	Rodriguez, C.	Vellenga
Clawson	Hokanson	Murphy	Rodriguez, F.	Voss
Dahlvang	Hokr	Nelsen, B.	Rose	Weaver
Dean	Jacobs	Nelson, K.	Rothenberg	Welch
Dempsey	Johnson, C.	Norton	Sarna	Wenzel
Drew	Johnson, D.	Novak	Schoenfeld	Wieser
Eken	Jude	O'Connor	Schreiber	Wynia
Elioff	Kahn	Ogren	Shea	Spkr. Sieben, H.
Ellingson	Kelly	Olsen	Sherwood	
Ewald	Knickerbocker	Onnen	Sieben, M.	

Those who voted in the negative were:

Aasness	Esau	Kalis	Niehaus	Welker
Ainley	Haukoos	Kvam	Nysether	Wigley
Brinkman	Heinitz	Ludeman	Schafer	
Den Ouden	Jennings	McDonald	Sherman	
Erickson	Kaley	Mehrkens	Sviggum	

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

CALL OF THE HOUSE LIFTED

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

The Speaker called Wynia to the Chair.

S. F. No. 1840 was reported to the House.

Ellingson moved to amend S. F. No. 1840, the second engrossment, as follows:

Page 2, line 36, delete the new language and insert:

“, or issued in any other state the law in which for any reason does not apply to the abandonment of sums payable on checks certified in that state or written instruments issued in that state.”

Page 3, lines 1 through 4, delete the new language

The motion prevailed and the amendment was adopted.

Nelsen, B., moved to amend S. F. No. 1840, the second engrossment, as amended, as follows:

Page 1, after line 8 insert:

“Section 1. Minnesota Statutes 1980, Section 308.14, is amended by adding a subdivision to read:

Subd. 3a. Notwithstanding subdivision 3 and the resolution for dissolution, if any property remaining after discharging the debts and liabilities of the corporation is unable to be distributed for any reason, after a period of five years has elapsed following the resolution for dissolution, the undistributed property may be distributed by the trustee or trustees to any corporation or organization which is exempt from taxation pursuant to section 290.05, subdivision 1, or to any unit of state or local government.”

Renumber the sections accordingly

Page 5, lines 11, 17 and 18 delete “1 and 2” and insert “2 and 3”

Page 5, after line 18 insert:

“Sec. 5. [REPEALER.]

Section 1 is repealed on October 1, 1983.”

Amend the title as follows:

Page 1, line 2, after the semicolon insert “providing an alternative distribution of assets following voluntary dissolution of a cooperative association;”

Page 1, line 5, after “Sections” insert “308.14, by adding a subdivision;”

The motion prevailed and the amendment was adopted.

S. F. No. 1840, A bill for an act relating to commerce; providing for a determination of when certain property held by a fi-

nancial institution or business organization is presumed abandoned; amending Minnesota Statutes 1980, Sections 345.32, as amended; and 345.39, as amended.

The bill was read for the 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 109 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Jennings Marsh Peterson, B.

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

S. F. No. 1715 was reported to the House.

Long moved that S. F. No. 1715 be continued on Special Orders. The motion prevailed.

S. F. No. 1907 was reported to the House.

There being no objection, S. F. No. 1907 was continued on Special Orders.

S. F. No. 1640 was reported to the House.

Ellingson moved to amend S. F. No. 1640, as follows:

Delete everything after the enacting clause and insert:

“Section 1. Laws 1965, Chapter 855, Section 4, Subdivision 1, as amended by Laws 1980, Chapter 573, Section 4, is amended to read:

Sec. 4. [DUTIES OF THE PERSONNEL BOARD.]

Subdivision 1. [BOARD PROCEEDINGS.] When any member of the board is not present at the time a matter is submitted to the board such matter shall be deemed submitted to each member of the board with like effect as though each member of the board had been present at the time of submission of such matter. Whenever during the consideration of a matter which is before the board, there is a change in the personnel of the board, the matter shall be deemed submitted to the new member, or members, as though said new member, or members, had been a member of the board at the time of the submission of the matter.

No meetings of the board shall be held unless at least (THREE) *four* members are present. A majority vote of all members shall constitute the decision of the board. The board shall keep records and minutes of its business and official actions which shall be open to public inspection subject to such reasonable rules as to time and place of inspection as the board may establish.

Sec. 2. Laws 1965, Chapter 855, Section 7, Subdivision 3, as amended by Laws 1980, Chapter 573, Section 7, is amended to read:

Subd. 3. [UNCLASSIFIED SERVICE, COMPENSATION.] The director shall establish a compensation plan in accordance with section 6, clause (e) for those employees in the unclassified service identified in subdivision 2, clauses (c), (d), (f), (h), (i), (j), (k), (l), (m), (n), (o), (r) and (s).

Sec. 3. Laws 1965, Chapter 855, Section 7, Subdivision 4, as amended by Laws 1980, Chapter 573, Section 7, is amended to read:

Subd. 4. [UNCLASSIFIED SERVICE, TENURE, BENEFITS.] The positions in the unclassified service enumerated in subdivision 2, clauses (c), (d), (h), (i), (j), (k), (l), (m), (n), (o), (q), (r) and (s) shall not have permanent tenure but shall have all other benefits provided for in this act. The term of office of any position established by another statute shall be as provided in it.

Sec. 4. Laws 1979, Chapter 55, Section 1, is amended to read:

Section 1. [COUNTY BOARD; SELF INSURANCE.]

Notwithstanding any contrary provision of other law, the board of commissioners of Hennepin county may insure the county against any claim of liability or loss using funds of the county, without procuring insurance from any private insurance company when the county board considers it to be in the best interests of the county. This provision shall not be construed as an increase of the liability limitations or as a waiver of defenses allowable in any action pursuant to Minnesota Statutes, Chapter 466. The board may transfer amounts of money from funds of the county to the funds the county may establish for the above purposes in accord with generally accepted accounting principles. The term "liability" shall extend to all liability or loss that may be covered by any form of insurance, including but not limited to malpractice, general liability, or workers' compensation. (THIS ACT SHALL NOT AUTHORIZE SELF INSURANCE AGAINST RISKS AS DEFINED IN MINNESOTA STATUTES, SECTION 60A.06, SUBDIVISION 1, CLAUSES (4) AND (5)(A).) *Minnesota Statutes, Section 471.617 applies to Hennepin County.*

Sec. 5. Laws 1979, Chapter 198, Article II, Section 7, Subdivision 1, is amended to read:

Sec. 7. [CERTIFICATES OF INDEBTEDNESS.]

Subdivision 1. [TAX ANTICIPATION CERTIFICATES.] At any time after the first day of the year following the making of an annual tax levy, the county board may, by resolution and without public referendum, issue certificates of indebtedness in anticipation of the collection of taxes levied for any fund and not yet collected. The total of all certificates issued against any fund for any year with interest thereon until maturity, together with all orders outstanding against the fund, shall not exceed the total current taxes for the fund uncollected at the time of issuance plus the cash currently in the fund. If certificates are issued against the anticipated tax levy for any fund, any unpaid orders outstanding against the fund shall be redeemed from the proceeds of the certificates. All tax anticipation certificates shall be negotiable and shall be payable to the order of the payee and shall have a definite due date but may be payable on or before that date. No certificate shall be issued to become due and payable later than the first day of April of the year following the year of issuance. Certificates shall be sold for not less than par and accrued interest and shall bear interest at a rate (NOT TO EXCEED SEVEN PERCENT PER ANNUM) that conforms to Minnesota Statutes, Section 475.55, payable at maturity or at such earlier times as the board may determine. Each certificate shall state upon its face the fund for which the proceeds of the certificate shall be used, the total amount of the certificates so issued against the fund and the total amount embraced in the tax levy for that fund. They shall otherwise be issued on terms and conditions as the board may determine. The proceeds of the taxes assessed on account of the fund against

which tax anticipation certificates are issued and the full faith and credit of the county shall be irrevocably pledged for the redemption of the certificate in the order of issuance against the fund.

Sec. 6. Laws 1979, Chapter 198, Article II, Section 7, Subdivision 2, is amended to read:

Subd. 2. [EQUIPMENT ACQUISITION; CAPITAL NOTES.] The board may, by resolution and without public referendum, issue (CERTIFICATES OF INDEBTEDNESS) *capital notes* within existing debt limits for the purpose of purchasing ambulance and other medical equipment, road construction or maintenance equipment, public safety equipment and other capital equipment having an expected useful life at least equal to the term of the (CERTIFICATES) *notes* issued. The (CERTIFICATES) *notes* shall be payable in not more than five years and shall be issued on terms and in a manner as the board determines. The total principal amount of the (CERTIFICATES OF INDEBTEDNESS) *notes* issued for any fiscal year shall not exceed one percent of the total annual budget for that year and shall be issued solely for the purchases authorized in this subdivision. A tax levy shall be made for the payment of the principal and interest on such (CERTIFICATES) *notes* as in the case of bonds.

Sec. 7. [AUTOMOBILE ALLOWANCE; COUNTY BOARD.]

The Hennepin County board of commissioners may by resolution provide that each county board member shall be paid as compensation or reimbursement for the use by that board member of his own automobile in the performance of his official duties a monthly or periodic allowance in lieu of mileage in an amount to be determined by the board.

Sec. 8. Minnesota Statutes 1981 Supplement, Section 375.055, Subdivision 1, is amended to read:

Subdivision 1. [FIXED BY COUNTY BOARD.] The county commissioners in all counties of the state, except (HENNEPIN AND) Ramsey (COUNTIES) *County*, shall receive as compensation for services rendered by them for their respective counties, annual salaries and in addition may receive per diem payments and reimbursement for necessary expenses in performing the duties of the office as set by resolution of the county board, provided that the salary and schedule of per diem payments shall not become effective until January 1 of the next year. The resolution shall contain a statement of the new salary to be established set forth on an annual basis. The board may establish a schedule of per diem payments for service by individual county commissioners on any board, committee, or commission of county government including committees of the board, or for the performance of services by individual county commissioners when required by law; *provided that no more than one per diem*

payment may be collected for any calendar day. In addition to its publication in the official newspaper of the county as part of the proceedings of the meeting of the county board, the resolution setting the salary and schedule of per diem payments shall be published in one other newspaper of the county, if there be one located in a different municipality in the county than the official newspaper. The salary of a county commissioner or the schedule of per diem payments shall not change except in accordance with the provisions of this subdivision.

Sec. 9. [REGIONAL RECREATIONAL OPEN SPACE.]

The housing outparcel on Nicollet Island referred to by Laws 1981, Chapter 304, Section 2, is more particularly described as follows:

A parcel bounded on the north by Hennepin Avenue, on the south by Merriam Street, on the west by Wilder Street, and on the east by East Island Avenue, as said streets are presently located;

Together with a parcel bounded on the north by the Burlington Northern Railroad right-of-way, on the south by Hennepin Avenue, on the east by East Island Avenue, and on the west by West Island Avenue;

Together with a parcel bounded on the north by Maple Place, on the south by the Burlington Northern Railroad right-of-way, on the east by Nicollet Street, and on the west by West Island Avenue;

Together with lots 7, 8, and 9, and the west 60 feet of lot 10, block 1, Nicollet Island;

Together with lots 6 and 7, and lots 10 to 16, inclusive, block 3, Nicollet Island.

Sec. 10. [LOCAL APPROVAL.]

Sections 1 to 8 are effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the Hennepin County board. Section 9 is effective in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington the day after final enactment."

Delete the title and insert:

A bill for an act relating to local government; regulating duties in Hennepin County; providing for the interest on and name of certain debt; regulating personnel provisions; clarifying self insurance authority; providing for the county board

automobile allowance; describing land to be acquired for open space purposes; amending Minnesota Statutes 1981 Supplement, Section 375.055, Subdivision 1; Laws 1965, Chapter 855, Section 4, Subdivision 1, as amended; and Section 7, Subdivisions 3, as amended, and 4, as amended; Laws 1979, Chapter 55, Section 1; and Laws 1979, Chapter 198, Article II, Section 7, Subdivisions 1 and 2.

The motion prevailed and the amendment was adopted.

Ellingson moved that S. F. No. 1640, as amended, be continued on Special Orders. The motion prevailed.

S. F. No. 2000 was reported to the House.

Ellingson moved to amend S. F. No. 2000, as follows:

Delete everything after the enacting clause and insert:

“Section 1. [CITY OF BROOKLYN CENTER; HOUSING INTEREST ASSISTANCE PROGRAM; FINDINGS AND PURPOSE.]

The legislature of the state of Minnesota finds that preservation of the quality of life in a metropolitan city is dependent upon the maintenance, provision, and preservation of an adequate housing stock; that accomplishing this is a public purpose; that there are housing units in the city of Brooklyn Center that do not meet the applicable housing codes, some of which need to be destroyed, and some of which can be rehabilitated; that there are vacant lots upon which new housing units can be constructed; that a need exists to construct new housing on vacant lots and to replace housing which is destroyed; that a need exists for mortgage credit to be made available at reasonable interest rates for new construction; that many owners, would-be purchasers or providers of housing units are unable to afford mortgage credit at market rates of interest; and that subsidizing interest rates can be an effective means of achieving the above-stated purposes.

Sec. 2. [AUTHORIZATION FOR HOUSING INTEREST BUY-DOWN PROGRAM.]

Subdivision 1. The Brooklyn Center housing and redevelopment authority may develop and administer an interest buy-down program to assist with the financing of housing, located anywhere within the boundaries of the city of Brooklyn Center, for occupancy primarily by persons of low or moderate income to achieve the purposes set forth in section 1. In developing the program the authority shall consider:

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

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

(c) *the need for more affordable mortgage credit to encourage the construction and enable the purchase of housing units within the city of Brooklyn Center.*

Subd. 2. In establishing and operating a housing interest buy-down program the authority may use or pledge to use any revenue of the authority to:

(a) *pay any of the interest due on loans made pursuant to Minnesota Statutes, Chapter 462C, to purchasers of housing units;*

(b) *pay any of the interest due on bonds issued pursuant to Minnesota Statutes, Chapter 462C, the proceeds of which are used primarily to provide loans to the purchasers of housing units; and*

(c) *pay any of the interest due on loans made by any person to the purchasers of housing units in the city of Brooklyn Center, but the purchaser must intend to occupy the housing unit as a principal place of residence at the time the loan is made.*

Subd. 3. The authority shall promulgate regulations for the housing interest buy-down program; provided, however, that the regulations shall incorporate the gross income and purchase price limitations established in section 462C.03, subdivisions 2 and 3.

Sec. 3. [LIMITATIONS.]

Housing interest buy-downs shall not be provided when the authority determines that financing for the purchase of a housing unit is otherwise available from private lenders upon terms and conditions which are affordable by the applicant, as provided by the authority in its regulations.

Sec. 4. [EFFECTIVE DATE.]

This act is effective the day after compliance by the governing body of the city of Brooklyn Center with Minnesota Statutes, Section 645.021, Subdivision 3."

The motion prevailed and the amendment was adopted.

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

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

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ainley	Den Ouden	Ludeman	Marsh	Welker
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The bill was passed, as amended, and its title agreed to.

S. F. No. 1702 was reported to the House.

Johnson, D., moved to amend S. F. No. 1702, as follows:

Page 1, line 23, after the period insert: *"Inmates shall not exercise custodial functions or have authority over other inmates or serve on the board of directors or hold any executive position in any corporation, private industry or educational program located on the grounds of or conducted within a state correctional facility."*

Amend the title as follows:

Page 1, line 2, after the semicolon insert: "limiting certain inmate functions;"

Vanasek moved to amend the Johnson, D., amendment to S. F. No. 1702, as follows:

Line 7, after "facility" insert "without the permission of the warden"

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Johnson, D., amendment, as amended.

The motion prevailed and the amendment, as amended, was adopted.

S. F. No. 1702, A bill for an act relating to corrections; authorizing the appointment of internal security investigators for adult correctional facilities in the unclassified civil service; clarifying the "good time" and solitary confinement provisions relating to county jails; amending Minnesota Statutes 1980, Sections 241.01, Subdivision 3a; 641.09; and 643.29, Subdivision 1.

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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Tomlinson
Valan
Valento

Vanasek
Vellenga
Voss

Weaver
Welch
Welker

Wenzel
Wieser
Wigley

Wynia
Zubay
Spkr. Sieben, H

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

S. F. No. 1691 was reported to the House.

Long moved to amend S. F. No. 1691, the second engrossment, as follows:

Page 2, after line 25, insert:

“Sec. 3. Minnesota Statutes 1980, Section 462.445, is amended by adding a subdivision to read:

Subd. 10. [AUTHORITIES CREATED PURSUANT TO SPECIAL LAW.]

Except as expressly limited by the special law establishing the authority, an authority created pursuant to special law shall have as powers granted by any statute to any authority created pursuant to chapter 462.”

ReNUMBER the remaining section

Amend the title as follows:

Page 1, line 6, after “penalties;” insert “granting powers to authorities created pursuant to special laws; amending Minnesota Statutes 1980, Section 462.445, by adding a subdivision;”

The motion prevailed and the amendment was adopted.

Lehto moved to amend S. F. No. 1691, the second engrossment, as amended, as follows:

Page 2, after line 25, insert:

“Sec. 4. [DULUTH HOUSING AND REDEVELOPMENT COMMISSIONERS.]

The Duluth housing and redevelopment authority shall consist of seven commissioners. In addition to those serving on the effective date of this act two shall be appointed for terms fixed so that the terms of two commissioners expire the first Monday in January in each of the years 1984 and 1986 and the term of one commissioner expires the first Monday in January 1988, 1985 and 1987. Their successors shall be appointed for regular five year terms.

Sec. 5. [LOCAL APPROVAL; EFFECTIVE DATE.]

Section 4 is effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the Duluth city council.

Renumber the section

Amend the title as follows:

Page 1, line 6, after "exists;" insert "providing for membership on the Duluth housing and redevelopment authority;"

The motion prevailed and the amendment was adopted.

S. F. No. 1691, A bill for an act relating to housing and redevelopment authorities; clarifying the need for a conflict of interest disclosure statement; amending the method of determining a quorum when a conflict of interest exists; providing penalties; amending Minnesota Statutes 1981 Supplement, Section 462.432, Subdivisions 1 and 2.

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

The question was taken on the passage of the bill and the roll was called. There were 108 yeas and 10 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Aasness	Den Ouden	Jennings	McDonald	Valento
Ainley	Esau	Ludeman	Schafer	Welker

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

S. F. No. 1015, A bill for an act relating to civil actions; limitations of actions; providing that actions for malpractice against health care professionals and veterinarians be commenced within two years; amending Minnesota Statutes 1980, Sections 145.61, Subdivision 2; and 541.07.

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 122 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Sieben, M. Spkr. Sieben, H.

The bill was passed and its title agreed to.

S. F. No. 1522 was reported to the House.

Voss moved to amend S. F. No. 1522, the second engrossment, as follows:

Page 6, line 10, after the period insert *"If a municipality extends the application of its subdivision regulations to unincorporated territory located within two miles of its limits pursuant to section 462.358, subdivision 1a before the creation of a joint board the subdivision regulations which the municipality has extended shall apply until the joint board adopts subdivision regulations."*

The motion prevailed and the amendment was adopted.

Heinitz moved to amend S. F. No. 1522, the second engrossment, as amended, as follows:

Page 1, after line 21 insert:

"Section 1. Minnesota Statutes 1981 Supplement, Section 60A.11, Subdivision 17, is amended to read:

Subd. 17. [CORPORATE AND BUSINESS TRUST OBLIGATIONS.] Obligations issued, assumed or guaranteed by a corporation or business trust organized under the laws of the United States or any state of the United States, or the laws of Canada or any province of Canada, or obligations traded on a national securities exchange on the following conditions:

(a) A company may invest in any obligations traded on a national securities exchange;

(b) A company may also invest in any obligations which are secured by adequate security located in the United States or Canada;

(c) A company may also invest in previously outstanding or newly issued obligations not qualifying for investment under paragraphs (a) or (b) if the corporation or business trust has qualified net earnings. If the obligations are not newly issued, neither principal nor interest payments on the obligations shall have been in arrears (1) for an aggregate of 90 days during the three year period preceding the date of investment, or (2) where the obligations have been outstanding for less than 90 days, during the period the obligations have been outstanding;

(d) A company may invest in federal farm loan bonds and may invest up to 20 percent of its total admitted assets in the obligations of farm mortgage debenture companies; and

(e) A company may not invest more than five percent of its admitted assets in the obligations of any one corporation or business trust; *provided, however, that a company may invest in the obligations of a corporation without regard to this subsection if: (i) the company is wholly-owned by the issuer and/or affiliates of the issuer of such obligations; (ii) the company insures solely the issuer of such obligations and/or its affiliates; (iii) the issuer has a net worth (determined on a consolidated basis) which equals or exceeds one hundred million dollars; and (iv) the issuer and its affiliates forego any and all claims they may have against the Minnesota Insurance Guaranty Association pursuant to chapter 60C in the event of the insolvency of the company. The foregoing shall not affect the rights of any unaffiliated third party claimant as set forth in section 60C.09, subdivision 1"*

Renumber the sections accordingly

Page 7, after line 30 insert:

“Sec. 17. [SEVERABILITY.]

If any provision of sections 1 to 18 is held invalid, the invalidity shall not affect other provisions of sections 1 to 18 which can be given effect without the invalid provision, and to this end the provisions of sections 1 to 18 are declared to be severable.”

Page 7, line 31, delete “16” and insert “18”

Page 7, line 32, delete “8, 10, 11 and 15” and insert “9, 11, 12, 16 and 17”

Page 7, line 33, delete “9, 12 and 13” and insert “10, 13 and 14”

Amend the title as follows:

Page 1, line 12, after the semicolon, insert “exempting captive insurers from certain investment limitations;”

Page 1, line 18, after the semicolon insert “Minnesota Statutes 1981 Supplement, Section 60A.11, Subdivision 17”

The motion prevailed and the amendment was adopted.

Begich moved to amend S. F. No. 1522, the second engrossment, as amended, as follows:

Page 7, after line 30 insert:

“Sec. 18. [ST. LOUIS COUNTY HISTORICAL SOCIETIES.]

St. Louis county may provide funds and facilities for more than one historical society of which shall be subject to the provisions of Minnesota Statutes, Sections 138.051, 138.052, and 138.053 and other laws governing the conduct of county historical societies.”

Page 7, line 34, after the period insert “Section 18 is effective the day after compliance by the St. Louis county board with Minnesota Statutes, Section 645.021, Subdivision 3.”

Renumber the sections

Amend the title accordingly

The motion prevailed and the amendment was adopted.

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

The bill was read for the 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 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

H. F. No. 1017, A bill for an act proposing an amendment to the Minnesota Constitution, Article XI, Section 5; providing for the improvement and rehabilitation of certain railroad facilities.

Reported the same back with the following amendments:

Page 2, line 20, delete "*the contracting of debt*" and insert "*state bonding authority*"

Page 2, after line 23 insert:

"Sec. 3. Minnesota Statutes 1980, Section 222.49, is amended to read:

222.49 [RAIL SERVICE IMPROVEMENT ACCOUNT.]

The rail service improvement account is created in the special revenue fund in the state treasury. The commissioner shall deposit in this account all money appropriated to or received by the department for the purpose of rail service improvement, *including bond proceeds from Article XI, Section 5, Clause (i) of the Minnesota Constitution and including federal money, but excluding proceeds of state bonds or other funds appropriated to the commissioner from the state transportation fund for the acquisition or betterment of property pertaining to the state rail bank established by section 222.63, and excluding income of the state rail bank and any other funds appropriated for its maintenance or improvement.* All money so deposited is appropriated to the department for expenditure for rail service improvement in accordance with applicable state and federal law. This appropriation shall not lapse but shall be available until the purpose for which it was appropriated has been accomplished. No money appropriated to the department for the purposes of administering the rail service improvement program shall be deposited in the rail service improvement account nor shall such administrative costs be paid from the account.

Sec. 4. [EFFECTIVE DATE.]

Section 3 shall be effective December 31, 1982 only if the amendment proposed in section 1 is ratified."

Amend the title as follows:

Page 1, line 4, before the period insert "; amending Minnesota Statutes 1980, Section 222.49"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1858, A bill for an act relating to local government; authorizing the establishment of subordinate service districts in order to provide and finance governmental services; establishing provision for the event that grant funding is not received for the North Koochiching area sanitary district; amending Minnesota Statutes 1980, Section 275.50, by adding a subdivision; Laws 1981, Chapter 291, Sections 2, Subdivisions 1 and 2, and by adding subdivisions; 4, Subdivision 1; 5, Subdivision 2; 7; 8, Subdivisions 1 and 2, and by adding a subdivision; and 24; proposing new law coded as Minnesota Statutes, Chapter 375B.

Reported the same back with the following amendments:

Page 2, line 3, after "state" insert "*except a metropolitan county and any other county containing a city of the first class as defined in section 473.121, subdivision 4.*"

Page 2, line 11, after the second "county" insert "*, except a metropolitan county and any other county containing a city of the first class as defined in section 473.121, subdivision 4.*"

Page 2, line 21, delete "five" and insert "ten"

Page 5, line 28, after "county" insert "*except a metropolitan county and any other county containing a city of the first class as defined in section 473.121, subdivision 4.*"

Page 5, line 35, delete "on" and insert "or"

Page 6, line 3, after the period, insert "*Subsequent increases in the initial tax or service charge, or additional taxes or service charges imposed at a time later than the adoption of the initial tax or service charge shall be subject to levy limitation.*"

Page 11, line 20, delete "April 1," and insert "March 22,"

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. 1878, A bill for an act relating to the legislature; creating a legislative commission on science and technology; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 3; and repealing Minnesota Statutes 1980, Section 3.351.

Reported the same back with the following amendments:

Page 3, line 13, delete everything after the bracket

Page 3, delete line 14

Page 3, line 15, delete everything before "The"

Page 3, line 22, after "state" insert ". Such funds are appropriated to the legislative coordinating commission"

Page 3, delete lines 24 to 33

Renumber the sections

Amend the title as follows:

Page 1, line 3, delete "appropriating"

Page 1, line 4, delete "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. 2000, A bill for an act relating to public welfare; clarifying certain provisions of the general assistance program; amending Minnesota Statutes 1981 Supplement, Section 256D.05, Subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 144A.01, Subdivision 7, is amended to read:

Subd. 7. "Uncorrected violation" means (a) a violation of a statute or rule or any other deficiency for which a notice of noncompliance has been issued and fine assessed *and allowed to be recovered* pursuant to section 144A.10, subdivision 6, or (b) *the issuance of two or more correction orders, within a 12-month period, for a violation of the same provision of a statute or rule.*

Sec. 2. Minnesota Statutes 1980, Section 144A.04, Subdivision 4, is amended to read:

Subd. 4. The controlling persons of a nursing home may not include any person who was a controlling person of another nurs-

ing home during any period of time in the previous two year period:

(a) during which time of control that other nursing home incurred the following number of uncorrected violations (FOR WHICH VIOLATIONS A FINE WAS ASSESSED AND ALLOWED TO BE RECOVERED):

((A)) (1) two or more uncorrected violations which created an imminent risk (OF HARM TO A NURSING HOME RESIDENT) to direct resident care or safety; or

((B) TEN) (2) five or more uncorrected violations of any nature for which the fines are in the two highest daily fine categories prescribed in rule; or

(b) who was convicted of a felony that relates to operation of the nursing home or directly affects resident safety or care, during that period.

The provisions of this subdivision shall not apply to any controlling person who had no legal authority to affect or change decisions related to the operation of the nursing home which incurred the uncorrected violations.

Sec. 3. Minnesota Statutes 1980, Section 144A.04, Subdivision 6, is amended to read:

Subd. 6. A nursing home may not employ as a managerial employee or as its licensed administrators any person who was a managerial employee or the licensed administrator of another facility during any period of time in the previous two year period:

(a) During which time of employment that other nursing home incurred the following number of uncorrected violations which were in the jurisdiction and control of the managerial employee or the administrator (AND FOR WHICH VIOLATIONS A FINE WAS ASSESSED AND ALLOWED TO BE RECOVERED):

((A)) (1) two or more uncorrected violations which created an imminent risk (OF HARM TO A NURSING HOME RESIDENT) to direct resident care or safety; or

((B) TEN) (2) five or more uncorrected violations of any nature for which the fines are in the two highest daily fine categories prescribed in rule; or

(b) who was convicted of a felony that relates to operation of the nursing home or directly affects resident safety or care, during that period.

Sec. 4. Minnesota Statutes 1980, Section 144A.08, Subdivision 3, is amended to read:

Subd. 3. [PENALTY.] Any controlling person who establishes, conducts, manages or operates a nursing home which incurs the following number of uncorrected violations, in any two year period (, FOR WHICH VIOLATIONS A FINE WAS ASSESSED AND ALLOWED TO BE RECOVERED):

(a) Two or more uncorrected violations which created an imminent risk of harm to a nursing home resident; or

(b) (TEN) *Five* or more uncorrected violations of any nature, is guilty of a misdemeanor.

The provisions of this subdivision shall not apply to any controlling person who had no legal authority to affect or change decisions as to the operation of the nursing home which incurred the uncorrected violations.

Sec. 5. Minnesota Statutes 1980, Section 144A.10, Subdivision 4, is amended to read:

Subd. 4. [CORRECTION ORDERS.] Whenever a duly authorized representative of the commissioner of health finds upon inspection of a nursing home, that the facility or a controlling person or an employee of the facility is not in compliance with sections 144.651, 144A.01 to 144A.17, or 626.557 or the rules promulgated thereunder, a correction order shall be issued to the facility. The correction order shall state the deficiency, cite the specific rule or statute violated, state the suggested method of correction, and specify the time allowed for correction. The commissioner of health by rule shall establish a schedule of allowable time periods for correction of nursing home deficiencies. *If the commissioner finds that the nursing home had uncorrected violations and that two or more of the uncorrected violations create a risk to resident care, safety, or rights, the commissioner shall notify the commissioner of public welfare who shall review reimbursement to the nursing home to determine the extent to which the state has paid for substandard care.*

Sec. 6. Minnesota Statutes 1980, Section 144A.11, Subdivision 2, is amended to read:

Subd. 2. [MANDATORY PROCEEDINGS.] The commissioner of health shall initiate proceedings to suspend or revoke a nursing home license or shall refuse to renew a license if within the preceding two years the nursing home has incurred the following number of uncorrected violations (FOR WHICH VIOLATIONS A FINE WAS ASSESSED AND ALLOWED TO BE RECOVERED):

((A)) (1) two or more uncorrected violations which created an imminent risk (OF HARM TO A NURSING HOME RESIDENT) to direct resident care or safety, violated the patients' bill of rights section 144.651, or violated the vulnerable adults reporting act, section 626.557; or

((B) TEN) (2) five or more uncorrected violations of any nature for which the fines are in the two highest daily fine categories prescribed in rule.

Sec. 7. Minnesota Statutes 1980, Section 144A.11, is amended by adding a subdivision to read:

Subd. 3a. [MANDATORY REVOCATION.] Notwithstanding the provisions of subdivision 3, the commissioner shall revoke a nursing home license if a controlling person is convicted of a felony that relates to operation of the nursing home or directly affects resident safety or care. The commissioner shall notify the nursing home 30 days in advance of the date of revocation.

Sec. 8. Minnesota Statutes 1981 Supplement, Section 256D.05, Subdivision 1, is amended to read:

Subdivision 1. [STANDARDS.] Each person or family whose income and resources are less than the standard of assistance established by the commissioner, and who is not eligible for the federally aided assistance programs of emergency assistance or aid to families with dependent children, or any successor to those programs, shall be eligible for and entitled to general assistance if the person or family is:

(a) A person who is suffering from (AN) a permanent or temporary illness, injury, or incapacity which is both medically certified and prevents the (INDIVIDUAL) person from engaging in suitable employment, (IF A PLAN FOR REHABILITATION APPROVED BY THE LOCAL AGENCY THROUGH ITS DIRECTOR OR DESIGNATED REPRESENTATIVE IS BEING FOLLOWED WHEN THE SITUATION IS CERTIFIED AS TEMPORARY) and who, if the medical certification establishes that the illness, injury, or incapacity is temporary and recommends a reasonable plan for rehabilitation, is following the plan;

(b) A person whose presence in the home on a substantially continuous basis is required because of the certified illness or incapacity of another member of the household;

(c) A person who has been placed in a licensed or certified facility for purposes of physical or mental health or rehabilitation, if the placement is based on illness or incapacity, and is

pursuant to a plan developed or approved by the local agency through its director or designated representative;

(d) A person who resides in a shelter facility described in subdivision 3;

(e) A person who is or may be eligible for displaced homemaker services, programs, or assistance under section 4.40. In determining eligibility of the person for general assistance, income received as a stipend shall be disregarded as provided in section 4.40;

(f) A person who is unable to secure suitable employment due to inability to communicate in the English language, and who, if assigned to a language skills program by the local agency, is participating in that program;

(g) A person not described in clause (a) or (c) who is diagnosed by a licensed physician or licensed consulting psychologist as mentally ill *or mentally retarded*; (OR)

(h) A person who is unable to secure suitable employment due to a lack of marketable skills (AS DETERMINED BY THE LOCAL AGENCY), and who, if assigned to a vocational counseling, vocational rehabilitation, or work training program by the local agency, is participating in that program. Eligibility for general assistance under clause (h) of this subdivision is limited to five weeks per calendar year; *or*

(i) *A person who has an application pending for the program of supplemental security income for the aged, blind and disabled or has been terminated from that program and has an appeal from that termination pending, and who has executed an interim assistance authorization agreement pursuant to the provisions of section 256D.06, subdivision 5.*

Sec. 9. [SUNSET PROVISION.]

Section 8 is repealed effective June 30, 1983. Notwithstanding the provisions of Minnesota Statutes, Section 645.34, the repeal of section 8 shall revive the corresponding section of the original law as it existed immediately prior to the amendment made by Laws 1981, Chapter 360, Article II, Section 36, as amended by Laws 1981, First Special Session Chapter 4, Article IV, Section 23; provided, however, that amendments made to the statutory section amended by section 8 between the effective date of this section and June 30, 1983 shall remain effective after June 30, 1983 unless otherwise provided by law.

Sec. 10. [EFFECTIVE DATE.]

Sections 1 to 9 are effective the day following final enactment."

Amend the title as follows:

Page 1, line 2, delete "public" and insert "health and"

Page 1, line 2, after the semicolon insert "strengthening qualifications for persons controlling, administering, or managing nursing homes; requiring review of reimbursement for substandard care; requiring license revocation in certain situations;"

Page 1, line 3, after the semicolon insert "revising a penalty;"

Page 1, after line 3 insert "Minnesota Statutes 1980, Sections 144A.01, Subdivision 7; 144A.04, Subdivisions 4 and 6; 144A.08, Subdivision 3; 144A.10, Subdivision 4; 144A.11, Subdivision 2, and by adding a subdivision; and"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2065, A bill for an act relating to public welfare; providing for regulation of aversive or deprivation procedures for behavior modification of mentally retarded individuals in order that the procedures are appropriately selected, planned, and implemented with due regard for human rights and needs; establishing a penalty; proposing new law coded in Minnesota Statutes, Chapter 245.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [245.825] [RULES.]

The commissioner of public welfare shall by October, 1983 promulgate rules governing the use of aversive and deprivation procedures in all licensed facilities serving mentally retarded persons. No provision of these rules shall encourage or require the use of aversive and deprivation procedures. The rules shall prohibit: (a) the application of certain aversive or deprivation procedures in facilities except as authorized and monitored by the designated regional review committees; and (b) the use of aversive or deprivation procedures that restrict the consumers' normal access to nutritious diet, drinking water, adequate ventilation, necessary medical care, ordinary hygiene facilities, normal sleeping conditions, and necessary clothing. The rule shall further specify that consumers may not be denied ordinary access to legal counsel and next of kin. In addition, the rule may specify other prohibited practices and the

specific conditions under which permitted practices are to be carried out.

Sec. 2. [REGIONAL REVIEW COMMITTEE.]

After the rules have been promulgated the commissioner shall appoint regional review committees to monitor the rules."

Amend the title as follows :

Page 1, line 4, delete "in order"

Page 1, delete lines 5 and 6

Page 1, line 7, delete everything before the second semicolon

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. 2174, A bill for an act relating to housing; directing the department of energy, planning and development to administer certain federal money; proposing new law coded in Minnesota Statutes, Chapter 4.

Reported the same back with the following amendments :

Page 1, line 20, after the period delete the balance of the line

Page 1, delete lines 21 to 25

Page 2, line 1, delete "*meet such urgent needs.*"

Page 2, line 23, after "*the*" insert "*department shall arrange for an independent*"

Page 2, line 24, delete "*shall*" and insert "*to*"

Page 2, line 24, delete "*by the department*"

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. 2188, A bill for an act relating to public welfare; providing for a mechanism in the program of aid to families with dependent children to minimize certain recipients' incentives to quit work; amending Minnesota Statutes 1980, Section 256.74, Subdivision 1, as amended.

Reported the same back with the following amendments:

Page 3, line 33, after "need" insert "*for persons with earned income*"

Page 4, line 7, after "the" insert "*increased*"

Page 4, line 12, delete "*maximum payment amount*" and insert "*standard of need in effect on January 1, 1982*"

Page 4, line 16, delete "*maximum payments in effect*" and insert "*standard of need in effect on January 1, 1982.*"

Page 4, delete line 17 and insert:

"Sec. 2. Minnesota Statutes 1980, Section 256.74, Subdivision 1a, as amended by Laws 1981, Third Special Session Chapter 3, Section 12, is amended to read:

Subd. 1a. [STEPPARENT'S INCOME.] In determining income available, the county agency shall take into account the remaining income of the dependent child's stepparent who lives in the same household after disregarding:

(1) The first \$75 of the stepparent's gross earned income. The commissioner shall prescribe by rule lesser amounts to be disregarded for stepparents who are not engaged in full-time employment or not employed throughout the month;

(2) An amount for support of the stepparent and any other individuals whom the stepparent claims as dependents for tax purposes and who live in the same household but whose needs are not considered in determining eligibility for assistance under sections 256.72 to 256.87. The amount equals the standard of need for a family *with no earned income* of the same composition as the stepparent and these other individuals;

(3) Amounts the stepparent actually paid to individuals not living in the same household but whom the stepparent claims as dependents for tax purposes; and

(4) Alimony or child support, or both, paid by the stepparent for individuals not living in the same household."

Renumber the section

Page 4, line 19, delete "*Section*" and insert "*Sections*"

Page 4, line 19, delete "*is*" and insert "*and 2 are*"

Page 4, line 21, delete "*section*" and insert "*sections*"

Page 4, line 21, delete "*complies*" and insert "*and 2 comply*"

Amend the title as follows:

Page 1, line 6, delete "*Subdivision*" and insert "*Subdivisions*" and after "*as amended*" insert "; and 1a, as amended"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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.

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. 2126, A bill for an act relating to the attorney general; establishing a division of land title litigation in the office of the attorney general; proposing new law coded in Minnesota Statutes, Chapter 8.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1017, 1858, 1878, 2000, 2065, 2174 and 2188 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 276 and 2126 were read for the second time.

The Speaker resumed the Chair.

SPECIAL ORDERS

S. F. No. 1443 was reported to the House.

Brandl moved to amend S. F. No. 1443, the first engrossment, as follows:

Page 1, line 7, before the period insert "OR RACCOONS"

Page 1, line 11, after the comma insert "*or raccoons*"

Page 1, line 14, before the period insert "*or raccoons*"

Page 1, line 17, after "*skunk*" insert "*or raccoon*"

Page 1, line 18, after "*skunk*" insert "*or raccoon*"

Page 1, line 24, after "*skunks*" insert "*or raccoons*"

Page 1, line 25, after "*skunks*" in both places insert "*or raccoons*"

Page 2, line 1, after "*skunks*" insert "*or raccoons*"

Page 2, line 2, after "*skunk*" insert "*or raccoon*"

Page 2, line 3, after "*skunk*" insert "*or raccoon*"

Amend the title as follows:

Page 1, line 3, after "*skunks*" insert "*or raccoons*"

The motion prevailed and the amendment was adopted.

S. F. No. 1443, A bill for an act relating to agriculture; prohibiting the trafficking in skunks; setting a penalty; proposing new law coded in Minnesota Statutes, Chapter 145.

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 76 yeas and 35 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Carlson, L.	Ellingson	Hanson	Hoberg
Anderson, G.	Clark, J.	Erickson	Harens	Hokanson
Berkelman	Clark, K.	Forsythe	Haukoos	Hokr
Blatz	Clawson	Greenfield	Heap	Jacobs
Brandl	Dean	Gruenes	Heinitz	Johnson, D.
Brinkman	Drew	Halberg	Himle	Jude

Kahn	Marsh	Peterson, D.	Sherman	Valan
Kaley	Minne	Pogemiller	Sieben, M.	Voss
Kelly	Munger	Redalen	Simoneau	Welch
Knickerbocker	Nelson, K.	Reif	Skoglund	Wenzel
Kostohryz	Niehaus	Rodriguez, C.	Stadum	Wigley
Kvam	Norton	Rose	Staten	Wynia
Laidig	Novak	Rothenberg	Stowell	
Lemen	Olsen	Samuelson	Sviggum	
Levi	Otis	Schafer	Swanson	
Luknic	Peterson, B.	Schreiber	Tomlinson	

Those who voted in the negative were:

Aasness	Elioff	Lehto	O'Connor	Sarna
Ainley	Esau	Ludeman	Onnen	Schoenfeld
Battaglia	Fjoslien	Mann	Osthoff	Sherwood
Begich	Gustafson	McEachern	Piepho	Stumpf
Carlson, D.	Jennings	Murphy	Reding	Valento
Dahlvang	Johnson, C.	Nelsen, B.	Rice	Welker
Den Ouden	Kalis	Nysether	Rodriguez, F.	Wieser

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

H. F. No. 1764 was reported to the House.

Levi moved that H. F. No. 1764 be continued on Special Orders. The motion prevailed.

Eken moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Staten and O'Connor were excused for the remainder of today's session.

Harens was excused between the hours of 7:30 and 9:25 p.m.

There being no objection the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 2136, A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; fixing the boundaries of state parks and trails; appropriating money; amending Minnesota Statutes 1980, Sections 16.826; 85.015, Subdivisions 8 and 13; 86.72, Subdivision 1; 121.21, Subdivision 4a; proposing new law coded in Minnesota Statutes, Chapter 84.

PATRICK E. FLAHAVEN, Secretary of the Senate

Sieben, M., moved that the House refuse to concur in the Senate amendments to H. F. No. 2136, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

H. F. No. 438, A bill for an act relating to retirement; authorizing certain persons in various retirement funds to purchase prior service credit and military service credit; authorizing an amendment to the articles of incorporation of the Minneapolis teachers retirement fund association; allowing a surviving spouse to elect a joint and survivor annuity under certain circumstances; amending Minnesota Statutes 1981 Supplement, Section 354.46, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Sarna moved that the House refuse to concur in the Senate amendments to H. F. No. 438, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Swanson moved that the House refuse to concur in the Senate amendments to H. F. No. 1573, 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 Senate File, herewith transmitted:

S. F. No. 2054.

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. 1793.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2054, A bill for an act relating to the department of economic security; regulating community action programs and agencies; amending Minnesota Statutes 1981 Supplement, Sections 268.52, Subdivisions 1, 2, and 4; 268.53, Subdivisions 1, 2, and by adding subdivisions; 268.54, Subdivision 2.

The bill was read for the first time.

Eken moved that S. F. No. 2054 and H. F. No. 2145, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1793, A bill for an act relating to local government; authorizing the establishment of subordinate service districts in

order to provide and finance governmental services; establishing provision for the event that grant funding is not received for the North Koochiching area sanitary district; amending Minnesota Statutes 1980, Section 275.50, by adding a subdivision; Laws 1981, Chapter 291, Sections 2, Subdivisions 1 and 2, and by adding subdivisions; 4, Subdivision 1; 5, subdivision 2; 7; 8, Subdivisions 1 and 2, and by adding a subdivision; and 24; proposing new law coded as Minnesota Statutes, Chapter 375B.

The bill was read for the first time.

Voss moved that S. F. No. 1793 and H. F. No. 1858, 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. 1573:

Swanson, Vanasek and Reif.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 438:

Sarna, Kaley, Reding, Rice and Rodriguez, F.

SPECIAL ORDERS

S. F. No. 1684, A bill for an act relating to commerce; providing uniformity in requiring insurance of accounts in depository financial institutions; clarifying examination reports as confidential records; clarifying permissible transactions at financial institutions by examiners; defining building and loan association; clarifying financial institution real estate investment authority; establishing an application procedure for certain bank detached facilities; providing for clearly differentiating a detached facility from the parent bank principal office; establishing a uniform authority for financial institutions' limited trust powers and individual housing accounts; clarifying certain words, terms and phrases relating to supervision of banks and trust companies; eliminating the filing requirement for bank directors' oaths; clarifying exceptions to prohibition against bank or trust company sale of assets; providing for uniform quarterly reporting by banks or trust companies; providing uniform capital requirements for stock savings banks and approval procedures for amending articles or certificates of incorporation; removing inconsistencies in fees payable to secretary of state; removing the expiration date for the credit union advisory council; removing inconsistencies with earlier

laws regarding certificate loan plans of industrial loan and thrift companies; providing for liquidity reserve requirements by insured industrial loan and thrift companies consistent with other depository institutions; providing for reasonable fees, annual renewals and surety bond limits for licensing safe deposit companies; clarifying default charges, deferments, conversion rights, interest after maturity and issuance of receipts on regulated loans; limiting licensing and examination of sales finance companies to those located in this state; authorizing the restatement of articles of incorporation of financial institutions; removing ceiling on interest rate paid by mortgagor during redemption period; amending Minnesota Statutes 1980, Sections 46.07, Subdivision 2; 46.09, as amended; 47.01, Subdivision 5; 47.10; 48.01, Subdivision 1; 48.16; 48.21; 48.76; 50.25; 51A.23, Subdivision 6; 52.061; 52.24; 53.04, Subdivision 5; 53.07; 55.04, Subdivision 2; 55.05; 168.66, Subdivision 8; 580.23, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 48.06; 48.48; 51A.03, Subdivision 5; 56.131, Subdivision 1; 56.14; proposing new law coded in Minnesota Statutes, Chapters 45; 47; 55; and 300; repealing Minnesota Statutes 1980, Sections 47.16, Subdivision 2; 48.159, Subdivision 1; 48.25; 50.157, Subdivision 1; 51A.21, Subdivision 16; 52.135; Minnesota Statutes 1981 Supplement, Sections 48.159, Subdivision 2; 50.157, Subdivision 2; 51A.21, Subdivision 16a; and 52.136.

The bill was read for the 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 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clark, K.

The bill was passed and its title agreed to.

S. F. No. 1821 was reported to the House.

CALL OF THE HOUSE

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

Aasness	Fjoslien	Kostohryz	Onnen	Stowell
Ainley	Forsythe	Laidig	Osthoff	Stumpf
Anderson, B.	Greenfield	Lehto	Peterson, B.	Sviggum
Anderson, I.	Gruenes	Lemen	Piepho	Swanson
Battaglia	Gustafson	Levi	Pogemiller	Tomlinson
Begich	Hanson	Long	Redalen	Valan
Blatz	Haukoos	Ludeman	Reding	Valento
Byrne	Heap	Luknic	Rees	Vellenga
Carlson, L.	Himle	Mann	Reif	Voss
Clark, K.	Hoberg	Marsh	Rice	Weaver
Clawson	Hokanson	McDonald	Rodriguez, F.	Welch
Dahlvang	Hokr	McEachern	Rose	Welker
Dean	Jacobs	Mehrkens	Rothenberg	Wenzel
Dempsey	Jennings	Metzen	Sarna	Wieser
Den Ouden	Johnson, C.	Munger	Schafer	Wynia
Drew	Johnson, D.	Murphy	Schreiber	Zubay
Elioff	Jude	Nelsen, B.	Sherman	Spkr. Sieben, H.
Erickson	Kahn	Niehaus	Sherwood	
Esau	Kaley	Nysether	Sieben, M.	
Evans	Kalis	Ogren	Skoglund	
Ewald	Kelly	Olsen	Stadum	

Mann 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.

Laidig moved to amend S. F. No. 1821, as follows:

Page 2, line 35, after the period reinstate the stricken language

Page 2, line 36, reinstate the stricken language through the period

Page 2, line 36, after the reinstated "County" insert "*Hennepin County*"

The motion prevailed and the amendment was adopted.

Rice moved to amend S. F. No. 1821, as amended by the Laidig amendment, as follows:

Page 2, line 36, delete the new language in the Laidig amendment

Page 2, line 36, reinstate "(IN)"

Page 3, lines 1 to 10, reinstate the stricken language

Page 3, line 3, strike "1981" and insert "1983"

The motion prevailed and the amendment was adopted.

S. F. No. 1821, A bill for an act relating to community corrections; clarifying and harmonizing the provisions of Minnesota Statutes relating to the administrative structure of participating counties, the composition of the corrections advisory board, the powers of probation officers, and the powers and duties of the commissioner of corrections; amending Minnesota Statutes 1980, Sections 401.01, Subdivision 2; 401.02, Subdivisions 1, 3, and 4; 401.06; 401.08, Subdivisions 1 and 2; and 401.13.

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.

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

There were 118 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Samuelson

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

CALL OF THE HOUSE LIFTED

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

S. F. No. 1591 was reported to the House.

Haukoos, Ludeman and Sviggum offered an amendment to S. F. No. 1591.

POINT OF ORDER

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

S. F. No. 1591, A bill for an act relating to retirement; volunteer firefighters relief associations; fire and police state aid programs; combining various reports for purposes of qualifying for fire state aid; modifying the presumptions used in determining qualification for fire or police state aid; clarifying the duration of disqualification from receipt of fire or police state aid in the event of noncompliance with financing guidelines; clarifying the procedure for crediting service by certain probationary volunteer firefighters; clarifying a limitation on the payment of service pensions to active volunteer firefighters; amending Minnesota Statutes 1980, Sections 69.021, Subdivision 4; 69.051, Subdivision 3; 69.771, Subdivision 3; and 424A.01, by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 69.011, Subdivision 2; 69.051, Subdivision 1; 69.77, Subdivision 1; and 424A.02, Subdivision 1.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 1677 was reported to the House.

Voss moved to amend S. F. No. 1677, the first engrossment, as follows:

Page 1, line 13, after "bulk," insert "*type of foundation,*"

Page 2, line 5, after "327.35" delete the comma

Page 2, line 12, after "bulk," insert "*type of foundation,*"

Further, amend the title as follows:

Page 1, line 2, after "to" delete "municipal planning and zoning" and insert "local government; changing municipal and county planning and zoning laws"

The motion prevailed and the amendment was adopted.

Heap moved to amend S. F. No. 1677, as amended, as follows:

Page 3, after line 11, add a new section as follows:

"Sec. 3. [APPLICATION.] *This act applies in the cities of Blaine, Circle Pines, Coon Rapids and Lexington.*"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 31 yeas and 83 nays as follows:

Those who voted in the affirmative were:

Aasness	Fjoslien	Himle	Laidig	Onnen
Ainley	Forsythe	Jennings	Ludeman	Peterson, B.
Den Ouden	Halberg	Kaley	Marsh	Rothenberg
Esau	Heap	Knickerbocker	Nysether	Sherman
Ewald	Heinitz	Kvam	Olsen	Sherwood

Swiggum	Welker	Wieser	Wigley	Zubay
Valento				

Those who voted in the negative were:

Anderson, B.	Eken	Kalis	Norton	Shea
Anderson, G.	Elioff	Kelly	Novak	Sieben, M.
Anderson, I.	Ellingson	Kostohryz	Ogren	Simoneau
Battaglia	Erickson	Lehto	Osthoff	Skoglund
Begich	Evans	Levi	Otis	Stowell
Berkelman	Greenfield	Long	Peterson, D.	Stumpf
Blatz	Gruenes	Luknic	Piepho	Swanson
Brandl	Gustafson	Mann	Pogemiller	Tomlinson
Brinkman	Hanson	McDonald	Redalen	Vanasek
Byrne	Hauge	McEachern	Reding	Voss
Carlson, L.	Haukoos	Metzen	Rees	Weaver
Clark, J.	Hokanson	Minne	Reif	Welch
Clark, K.	Jacobs	Munger	Rice	Wenzel
Clawson	Johnson, C.	Murphy	Rodriguez, C.	Wynia
Dahlvang	Johnson, D.	Nelsen, B.	Rodriguez, F.	Spkr. Sieben, H
Dean	Jude	Nelson, K.	Sarna	
Drew	Kahn	Niehaus	Schoenfeld	

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

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

The bill was read for the 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 68 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kelly	Norton	Simoneau
Anderson, G.	Eken	Kostohryz	Novak	Skoglund
Battaglia	Elioff	Laidig	Ogren	Stumpf
Begich	Ellingson	Lehto	Osthoff	Swanson
Berkelman	Evans	Long	Otis	Tomlinson
Blatz	Ewald	Ludeman	Peterson, B.	Vanasek
Brandl	Greenfield	Luknic	Peterson, D.	Vellenga
Brinkman	Gustafson	Mann	Pogemiller	Voss
Byrne	Halberg	McDonald	Reding	Wenzel
Carlson, D.	Hanson	Minne	Rees	Wynia
Carlson, L.	Hokanson	Munger	Rice	Zubay
Clark, J.	Johnson, C.	Murphy	Rodriguez, C.	Spkr. Sieben, H.
Clark, K.	Jude	Nelsen, B.	Rodriguez, F.	
Den Ouden	Kahn	Nelson, K.	Sieben, M.	

Those who voted in the negative were:

Ainley	Clawson	Dempsey	Fjoslien	Hauge
Anderson, B.	Dahlvang	Erickson	Forsythe	Haukoos
Anderson, I.	Dean	Esau	Gruenes	Heap

Heinitz	Knickerbocker	Nysether	Schafer	Weaver
Himle	Kvam	Olsen	Schreiber	Welch
Hoberg	Lemen	Onnen	Shea	Welker
Hokr	Levi	Piepho	Sherman	Wieser
Jacobs	Marsh	Redalen	Sherwood	Wigley
Jennings	McEachern	Reif	Stadum	
Johnson, D.	Mehrkens	Rose	Stowell	
Kaley	Metzen	Rothenberg	Sviggum	
Kalis	Niehaus	Sarna	Valento	

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

S. F. No. 1256, A bill for an act relating to state government; directing the commissioner of administration to obtain state office space in certain types of historically significant buildings when practical; amending Minnesota Statutes 1980, Section 16.243.

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 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ludeman	Nelsen, B.	Welker
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The bill was passed and its title was agreed to.

S. F. No. 1481 was reported to the House.

Simoneau moved to amend S. F. No. 1481, the third engrossment, as follows:

Page 2, line 27, after "employee" insert "*of the state of Minnesota or the Regents of the University of Minnesota*"

Page 2, line 27, delete "between" and insert "at least"; after "and" insert "not yet"

Page 2, line 29, after "43A.18" insert "or other law"

Page 2, line 30, delete "state"

Page 2, line 31, delete "*between February 28, 1982 and October 1, 1982*" and insert "*within 60 days of the effective date of this section*"

Page 2, line 32, delete "between" and insert "at least"; after "and" insert "not yet"

Page 2, line 35, delete "between" and insert "at least"; after "and" insert "not yet"

Page 3, line 3, delete "*after July 1, 1981*" and insert "*within 60 days of the effective date of this section. For purposes of this clause, a person retires when the person terminates active employment in state or University of Minnesota service and applies for a retirement annuity*"

Page 3, line 5, after "65" insert "*, or when the employee chooses not to receive the annuity that the employee has applied for*"

Page 3, line 13, after "commissioner" insert "*and the Regents of the University of Minnesota*"

Page 3, line 16, delete "*June 15, 1982*" and insert "*30 days after the effective date of this section*"

Page 3, after line 16, insert:

"Sec. 2. [TEMPORARY.]

The state and exclusive representatives of state employees and the University of Minnesota and exclusive representatives of University of Minnesota employees shall negotiate on the topic of supplemental agreements to the contracts covering the 1981 to 1983 biennium to provide for early retirement incentives in addition to those listed in section 1. The state and University of Minnesota shall only agree to these incentives if it anticipates that the incentives would result in a cost saving to the state during the 1981 to 1983 biennium. Any supplemental agreements

providing for these incentives shall be submitted to the legislative commission on employee relations and the full legislature for approval in the same manner and with the same effect as provided in section 179.74, subdivision 5."

Page 3, line 17, strike "2" and insert "3"

Page 3, line 18, delete "Section" and insert "Sections"; after "1" delete "is" and insert "and 2 are"; delete "its"

Further, amend the title as follows:

Page 1, line 4, after the semi-colon, insert "providing that certain other early retirement incentives may be negotiated;"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 84 yeas and 38 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Eken	Kahn	Ogren	Shea
Anderson, G.	Elioff	Kelly	Olsen	Sherman
Anderson, I.	Ellingson	Kostohryz	Osthoff	Sieben, M.
Battaglia	Ewald	Laidig	Otis	Simoneau
Begich	Greenfield	Lehto	Peterson, D.	Skoglund
Berkelman	Gruenes	Long	Piepho	Stumpf
Blatz	Gustafson	Luknic	Pogemiller	Swanson
Brandl	Hanson	Mann	Reding	Tomlinson
Brinkman	Harens	Marsh	Reif	Vanasek
Byrne	Hauge	McEachern	Rice	Vellenga
Carlson, D.	Heap	Metzen	Rodriguez, C.	Voss
Carlson, L.	Hokanson	Minne	Rodriguez, F.	Weaver
Clark, J.	Hokr	Munger	Rose	Welch
Clark, K.	Jacobs	Murphy	Rothenberg	Wenzel
Clawson	Johnson, C.	Nelson, K.	Samuelson	Wynia
Dahlvang	Johnson, D.	Norton	Sarna	Spkr. Sieben, H.
Dean	Jude	Novak	Schreiber	

Those who voted in the negative were:

Aasness	Fjoslien	Kvam	Onnen	Valan
Ainley	Forsythe	Lemen	Peterson, B.	Valento
Dempsey	Haukoos	Levi	Redalen	Welker
Den Ouden	Heinitz	Ludeman	Rees	Wieser
Drew	Himle	Mehrrens	Schafer	Wigley
Erickson	Hoberg	Nelsen, B.	Sherwood	Zubay
Esau	Jennings	Niehaus	Stowell	
Evans	Kaley	Nysether	Sviggun	

The motion prevailed and the amendment was adopted.

Heinitz moved to amend S. F. No. 1481, the third engrossment, as amended, as follows:

Page 2, delete lines 26 to 36, and insert:

Notwithstanding section 43A.27, subdivision 3, a plan adopted under section 43A.18 may provide, or the state and an exclusive representative of state employees may negotiate, an agreement which provides for state-paid hospital, medical, and dental benefits for employees who retire from state service earlier than required. Coverage under these agreements shall be coordinated with relevant health insurance benefits provided through the federally-sponsored medicare program.

Sec. 2. [TEMPORARY.]

Commencing one week after the effective date of this act the state and exclusive representatives of state employees shall negotiate on the topic of supplemental agreements to the contracts covering the 1981 to 1983 biennium to provide for the benefits listed in section 1. Any supplemental agreements providing for these benefits shall be submitted to the legislative commission on employee relations and the full legislature for approval in the same manner and with the same effect as provided in section 179.74, subdivision 5.

Sec. 3. [EFFECTIVE DATE.]

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

Delete Page 3.

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 58 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Aasness	Evans	Kalis	Olsen	Stowell
Ainley	Ewald	Knickerbocker	Onnen	Stumpf
Berkelman	Fjoslien	Kvam	Peterson, B.	Sviggum
Blatz	Forsythe	Laidig	Redalen	Valan
Brinkman	Haukoos	Lemen	Rees	Valento
Carlson, D.	Heap	Levi	Reif	Weaver
Dean	Heinitz	Ludeman	Rose	Welker
Dempsey	Himle	McDonald	Rothenberg	Wieser
Den Ouden	Hoberg	Mehrkens	Schafer	Wigley
Drew	Hokr	Nelsen, B.	Schreiber	Zubay
Erickson	Jennings	Niehaus	Sherwood	
Esau	Kaley	Nysether	Stadum	

Those who voted in the negative were:

Anderson, B.	Anderson, I.	Begich	Byrne	Clark, J.
Anderson, G.	Battaglia	Brandl	Carlson, L.	Clark, K.

Clawson	Jacobs	Metzen	Pogemiller	Skoglund
Dahlvang	Johnson, C.	Minne	Reding	Swanson
Eken	Johnson, D.	Munger	Rice	Tomlinson
Elioff	Jude	Murphy	Rodriguez, C.	Vanasek
Ellingson	Kahn	Nelson, K.	Rodriguez, F.	Vellenga
Greenfield	Kelly	Norton	Samuelson	Voss
Gruenes	Kostohryz	Novak	Sarna	Welch
Gustafson	Lehto	Ogren	Schoenfeld	Wenzel
Hanson	Long	Osthoff	Shea	Wynia
Harens	Luknic	Otis	Sherman	Spkr. Sieben, H.
Hauge	Mann	Peterson, D.	Sieben, M.	
Hokanson	McEachern	Piepho	Simoneau	

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

S. F. No. 1481, A bill for an act relating to state government; providing a one time early retirement insurance benefit option for certain state employees; amending Minnesota Statutes 1981 Supplement, Section 43A.24, Subdivision 2.

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

The question was taken on the passage of the bill and the roll was called. There were 106 yeas and 22 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ainley	Heinitz	Niehaus	Sherwood	Wigley
Den Ouden	Jennings	Nysether	Stowell	Zubay
Erickson	Kvam	Redalen	Valento	
Esau	Ludeman	Rees	Welker	
Forsythe	McDonald	Schafer	Wieser	

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

The Speaker called Heinitz to the Chair.

S. F. No. 1231, A bill for an act relating to waters; exempting certain watercraft from requirements related to personal flotation devices; amending Minnesota Statutes 1980, Section 361.141, Subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 111 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Skoglund

The bill was passed and its title was agreed to.

S. F. No. 1539, A bill for an act relating to state collective bargaining units; adopting a modified unit composition schedule for state employees; amending Minnesota Statutes 1980, Section 179.741, Subdivision 1; and Minnesota Statutes 1981 Supplement, Section 179.74, Subdivision 4.

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

The question was taken on the passage of the bill and the roll was called. There were 116 yeas and 1 nay as follows:

Those who voted in the affirmative were :

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

Those who voted in the negative were :

Welker

The bill was passed and its title was agreed to.

S. F. No. 1621, A bill for an act relating to state government; removing the geographic limitation on state and public employees' eligibility for the state employee transportation program; amending Minnesota Statutes 1981 Supplement, Section 16.756, Subdivision 1a.

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

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 2 nays as follows:

Those who voted in the affirmative were :

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

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

Those who voted in the negative were:

Den Ouden Welker

The bill was passed and its title was agreed to.

S. F. No. 1605, A bill for an act relating to public welfare; requiring audits of nursing home cost reports; amending Minnesota Statutes 1980, Sections 256B.27, Subdivision 2a; and 256B.35, Subdivision 4.

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 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1641, A bill for an act relating to family law; defining a species of marital co-ownership of property and providing for its division in dissolution and annulment actions; amending Minnesota Statutes 1980, Section 518.54, Subdivision 5; and Minnesota Statutes 1981 Supplement, Section 518.58.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1853, A bill for an act relating to agriculture; changing fee provisions relating to abstracts of mortgages and liens on grain crops; amending Minnesota Statutes 1980, Sections 386.42 and 386.43.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, B.	Anderson, I.	Begich	Blatz
Ainley	Anderson, G.	Battaglia	Berkelman	Brandl

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

The bill was passed and its title agreed to.

S. F. No. 1758 was reported to the House.

Kelly moved to amend S. F. No. 1758, the first engrossment, as follows:

Page 2, after line 5 insert

"Sec. 3. Minnesota Statutes 1980, Section 152.19, Subdivision 5, is amended to read:

Subd. 5. Property shall be forfeited after a conviction deemed to be a felony according to the following procedure:

(1) A separate complaint shall be filed against the property describing it, charging its use in the specified violation, and specifying the time and place of its unlawful use.

(2) If the person arrested is acquitted, the court shall dismiss the complaint against any property seized pursuant to the preceding subdivisions and order the property returned to the persons legally entitled to it.

(3) If after conviction the court finds that the property, or any part thereof, was used in any violation as specified in the complaint, it shall order that the property unlawfully used be sold, destroyed, or disposed of by the appropriate state agency in the following manner:

(a) *If the property is not subject to security interest, the appropriate state agency may retain the property for official use*

but shall not use any motor vehicle required to be registered pursuant to chapter 168A until title is properly transferred pursuant to chapter 168A;

(b) Sell that which is not required to be destroyed by law and which is not harmful to the public;

((B)) (c) Require the commissioner of administration to take custody of the property and remove it for disposition in accordance with law; or

((C)) (d) Forward it to the federal (BUREAU OF NARCOTICS AND DANGEROUS DRUGS) *drug enforcement administration.*

Any property retained pursuant to clause (3)(a) of this subdivision shall be used only in the performance of official duties of the appropriate state agency, and shall not be used for any other purpose. All proceeds from property retained under clause (3)(a) of this subdivision which is later sold shall be disbursed as provided in clause (4) of this subdivision.

(4) Proceeds from the sale of forfeited property, after payment of seizure, storage, and sale expenses and satisfaction of valid liens against the property, shall be forwarded to the state drug abuse authority for distribution of half of the net proceeds among licensed hospitals and licensed drug treatment facilities of this state for the care and treatment of patients with drug related physical and psychological disorders, and licensed drug analysis centers. The remaining half of net proceeds shall be returned to the appropriate state agency."

Amend the title as follows:

Page 1, line 4, after "penalties;" insert "allowing use of forfeited property;"

Page 1, line 5, delete "Section" and insert "Sections 152.19, Subdivision 5; and"

The motion prevailed and the amendment was adopted.

Schreiber and Hokanson moved to amend S. F. No. 1758, the first grossment, as amended, as follows:

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 1980, Section 152.01, is amended by adding a subdivision to read:

Subd. 18. [DRUG PARAPHERNALIA.] "Drug paraphernalia" means all equipment, products, and materials of any kind which are used, intended for use, or designed for use, in manufacturing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of this act or the Uniform Controlled Substances Act. The term includes, but is not limited to:

(1) Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose, and lactose, used, intended for use, or designed for use in cutting controlled substances;

(2) Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana;

(3) Hypodermic syringes, needles, and other objects used, intended for use, and designed for use in parenterally injecting controlled substances into the human body; and

(4) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, which shall include but not be limited to the following:

(a) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;

(b) Water pipes;

(c) Carburetion tubes and devices;

(d) Smoking and carburetion masks;

(e) Roach clips, meaning objects used to hold burning material, such as a marijuana cigarette, which has become too small or too short to be held in the hand;

(f) Miniature cocaine spoons, and cocaine vials;

(g) Chamber pipes;

(h) Carburetor pipes;

(i) Electric pipes;

(j) Air-driven pipes;

(k) Chillums;

- (l) *Bongs; and*
- (m) *Ice pipes or chillers.*

Sec. 2. [152.091] [FACTORS TO BE CONSIDERED IN DETERMINING IF OBJECT IS DRUG PARAPHERNALIA.]

In determining whether an object is drug paraphernalia, a court or other authority shall consider, in addition to all other logically relevant factors, the following:

- (1) *Statements by an owner or by anyone in control of the object concerning its use;*
- (2) *The proximity of the object, in time and space, to a violation of this act;*
- (3) *The proximity of the object to any controlled substance;*
- (4) *The existence of any residue of a controlled substance on the object;*
- (5) *Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to any person whom he or she knows or reasonably should know intends to use the object to facilitate a violation of this act. The innocence of an owner, or of anyone in control of the object, as to a violation of this act shall not prevent a finding that the object is intended for use, or designed for use as drug paraphernalia;*
- (6) *Instructions, oral or written, provided with the object concerning its use;*
- (7) *Descriptive materials accompanying the object which explain or depict its use;*
- (8) *National and local advertising concerning its use;*
- (9) *The manner in which the object is displayed for sale;*
- (10) *Whether the owner or anyone in control of the object is a legitimate supplier of like or related items to the community, such as a licensed tobacco distributor or dealer.*
- (11) *Direct or circumstantial evidence of the ratio of sales of the object or objects to the total sales of the business enterprise;*
- (12) *The existence and scope of any legitimate use for the object in the community; and*

(13) *Expert testimony concerning its use.*

Sec. 3. [152.092] [POSSESSION OF DRUG PARAPHERNALIA PROHIBITED.]

It shall be unlawful for any person to use, or to possess with intent to use, drug paraphernalia to manufacture, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of this act. Any violation of this section is a petty misdemeanor.

Sec. 4. [152.093] [MANUFACTURE OR DELIVERY OF DRUG PARAPHERNALIA PROHIBITED.]

It shall be unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver, drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to manufacture, inject, ingest, inhale, or otherwise be used to introduce into the human body a controlled substance in violation of this act. Any violation of this section is a misdemeanor.

Sec. 5. [152.094] [DELIVERY OF DRUG PARAPHERNALIA TO A MINOR PROHIBITED.]

Any person 18 years of age or older who violates section 4 by delivering drug paraphernalia to a person under 18 years of age who is at least three years his or her junior is guilty of a gross misdemeanor.

Sec. 6. [152.095] [ADVERTISEMENT OF DRUG PARAPHERNALIA PROHIBITED.]

It shall be unlawful for any person to place in any newspaper, magazine, handbill, or other publication any advertisement, knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects in this state designed or intended for use as drug paraphernalia. A violation of this section is a misdemeanor.

Sec. 7. Minnesota Statutes 1980, Section 152.19, Subdivision 1, is amended to read:

Subdivision 1. The following are subject to forfeiture:

(1) All controlled substances which have been manufactured, distributed, dispensed or acquired in violation of this chapter;

(2) All raw materials, moneys, products and equipment of any kind which are used, or intended for use, in manufacturing,

compounding, processing, delivering, importing, or exporting any controlled substance in violation of this chapter;

(3) All property which is used, or intended for use, as a primary container for property described in clauses (1) or (2);

(4) *All drug paraphernalia as defined by section 1;*

(5) All conveyances, including aircraft, vehicles or vessels, which are used, or intended for use, to transport, or in any manner to facilitate the transportation, for the purpose of sale or receipt of property described in clauses (1) or (2) having a retail value of \$100 or more, but:

(a) No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this chapter.

(b) No conveyance is subject to forfeiture under this section unless the owner thereof is privy to a violation of this chapter, or that the use of the conveyance in such violation otherwise occurred with his knowledge or consent.

(c) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party unless he had knowledge of or consented to the act or omission upon which the forfeiture is based.

(d) All books, records, and research products and materials, including formulas, microfilm, tapes, and data which are used, or intended for use, in violation of this chapter.

Sec. 8. Minnesota Statutes 1980, Section 152.19, Subdivision 3, is amended to read:

Subd. 3. In the event of a conviction for a gross misdemeanor or a misdemeanor, any conveyance seized pursuant to subdivision 1, clause ((4)) (5) of this section or any moneys seized pursuant to subdivision 1, clause (2) of this section, shall be returned to the person legally entitled thereto.

Sec. 9. [SEVERABILITY.]

If any provision or any application of sections 1 to 8 is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the provisions of sections 1 to 8 are severable."

Page 1, line 10, delete "[152.095]" and insert "[152.096]"

Renumber the sections in sequence

Page 2, after line 5, insert:

"Sec. 13. [EFFECTIVE DATE.]

Sections 1 to 12 are effective August 1, 1982 and apply to all crimes committed on or after that date."

Amend the title as follows:

Page 1, line 2, after the semicolon insert "prohibiting the manufacture or delivery of drug paraphernalia; prohibiting the delivery of drug paraphernalia to minors; prohibiting the advertisement of drug paraphernalia; providing for civil forfeiture of drug paraphernalia;"

Page 1, line 5, delete "Section" and insert "Sections 152.01, by adding a subdivision; 152.19, Subdivisions 1 and 3; and"

The motion prevailed and the amendment was adopted.

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

The bill was read for the 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 116 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Hokanson	Marsh	Piepho
Ainley	Elioff	Hokr	McDonald	Pogemiller
Anderson, B.	Ellingson	Jacobs	McEachern	Redalen
Anderson, G.	Erickson	Jennings	Mehrkens	Reding
Anderson, I.	Esau	Johnson, C.	Metzen	Rees
Battaglia	Evans	Johnson, D.	Minne	Reif
Begich	Ewald	Jude	Munger	Rice
Berkelman	Fjoslien	Kaley	Murphy	Rodriguez, C.
Blatz	Forsythe	Kalis	Nelsen, B.	Rodriguez, F.
Brandl	Gruenes	Kelly	Niehaus	Rose
Brinkman	Halberg	Knickerbocker	Norton	Rothenberg
Carlson, D.	Hanson	Kostohryz	Novak	Sarna
Carlson, L.	Harens	Kvam	Nysether	Schafer
Clark, J.	Hauge	Laidig	Olsen	Schoenfeld
Clawson	Haukoos	Lehto	Onnen	Schreiber
Dahlvang	Heap	Levi	Osthoff	Shea
Dean	Heinitz	Long	Otis	Sherman
Dempsey	Himle	Luknic	Peterson, B.	Sherwood
Den Ouden	Hoberg	Mann	Peterson, D.	Simoneau

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

Those who voted in the negative were:

Byrne	Clark, K.	Greenfield	Kahn	Sieben, M.
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The bill was passed, as amended, and its title agreed to.

S. F. No. 85, A bill for an act relating to towns; providing for separate election of town supervisors; amending Minnesota Statutes 1980, Section 367.03, 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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2136:

Sieben, M.; Kahn; Anderson, G.; Carlson, L., and Nelsen, B.

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

REPORTS OF STANDING COMMITTEES

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

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

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. 1818, A bill for an act relating to financial institutions; providing for maximum interest rates on the unpaid balance of loans made by a bank, savings bank, savings association, or credit union; making a temporary, superseding interest rate provision permanent; amending Minnesota Statutes 1980, Sections 48.153, Subdivisions 1a and 3a; 52.14, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 48.195; repealing Minnesota Statutes 1980, Sections 48.153, Subdivisions 1 and 3; and 52.14, Subdivision 1.

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

The report was adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 1706 and 1818 were read for the second time.

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 12:00 noon, Thursday, March 11, 1982. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Thursday, March 11, 1982.

EDWARD A. BURDICK, Chief Clerk, House of Representatives