

STATE OF MINNESOTA

SEVENTY-THIRD SESSION - 1983

FIFTIETH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 10, 1983

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

Prayer was offered by Father James Allen, Assumption Church, Richfield, Minnesota.

The roll was called and the following members were present:

Anderson, B.	Findlay	Kostohryz	Otis	Skoglund
Anderson, G.	Fjoslien	Krueger	Pauly	Solberg
Anderson, R.	Forsythe	Kvam	Peterson	Sparby
Battaglia	Frerichs	Larsen	Piepho	Stadum
Beard	Graba	Levi	Piper	Staten
Begich	Greenfield	Long	Price	Sviggum
Bennett	Gruenes	Ludeman	Quinn	Swanson
Bergstrom	Gustafson	Mann	Quist	Thiede
Bishop	Gutknecht	Marsh	Redalen	Tomlinson
Blatz	Halberg	McDonald	Reif	Tunheim
Brinkman	Haukoos	McEachern	Rice	Uphus
Burger	Heap	McKasy	Riveness	Valan
Carlson, L.	Heinitz	Metzen	Rodosovich	Valento
Clark, J.	Himle	Minne	Rodriguez, C.	Vanasek
Clark, K.	Hoberg	Munger	Rodriguez, F.	Vellenga
Clawson	Hoffman	Murphy	Rose	Voss
Cohen	Hokr	Nelson, D.	St. Onge	Waltman
Coleman	Jacobs	Nelson, K.	Sarna	Welch
Dempsey	Jennings	Neuenschwander	Schafer	Welker
DenOuden	Jensen	Norton	Scheid	Welle
Dimler	Johnson	O'Connor	Schoenfeld	Wenzel
Eken	Kahn	Ogren	Seaberg	Wigley
Elioff	Kalis	Olsen	Segal	Wynia
Ellingson	Kelly	Omamn	Shaver	Speaker Sieben
Erickson	Knickerbocker	Onnen	Shea	
Evans	Knuth	Osthoff	Simoneau	

A quorum was present.

Sherman was excused.

Berkelman and Zaffke were excused until 2:00 p.m. Brandl was excused until 2:30 p.m. Schreiber was excused until 2:55 p.m. Carlson, D. was excused until 5:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Kvam 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. 1259, 800, 1059, 1188, 77, 439, 452 and 765 and S. F. No. 375 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

Rice from the Committee on Appropriations to which was referred:

S. F. No. 634, A bill for an act relating to game and fish; establishing the joint legislative committee on fishing resources; imposing a surcharge on fishing licenses for development and improvement of state fishing resources; authorizing designation of experimental and specialized fishing waters; authorizing additional notice of netting season; licensing fishing guides; increasing certain license fees; prohibiting angling and use of tip-ups while spearing in a dark house; prohibiting issuance of new commercial game fish netting licenses; allowing designation of lakes for taking of certain muskellunge; imposing penalties for various offenses; amending Minnesota Statutes 1982, sections 84.027, subdivision 2; 97.48, subdivision 26, and by adding a subdivision; 97.53, by adding a subdivision; 97.55, by adding subdivisions; 98.46, subdivision 5; 98.52, by adding subdivisions; and 101.42, subdivisions 1a and 20; proposing new law coded in Minnesota Statutes, chapters 97, 98, and 102.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1982, section 97.48, subdivision 8, is amended to read:

Subd. 8. The commissioner shall do all things deemed by him desirable in the preservation, protection and propagation in their natural state, and artificially, of all desirable species of wild animals. *The commissioner shall make special provisions for the management of fish and wildlife to insure quality recreational opportunities for anglers and hunters.*

Sec. 2. Minnesota Statutes 1982, section 97.48, subdivision 22, is amended to read:

Subd. 22. The commissioner shall authorize the maintenance and operation of private fish hatcheries under such rules and regulations as the commissioner shall prescribe for the raising and disposition of any fish indigenous to Minnesota waters

(EXCEPT CARP). No license shall be required of any person for taking fish by angling at a licensed private fish hatchery operated in accordance with the rules and regulations of the commissioner, or from an artificial pool containing only fish purchased from a private fish hatchery, provided the operator shall furnish to each person taking such fish a written certificate in such form as the commissioner shall prescribe, giving the number and description of the fish taken and such other information as the commissioner requires, whereupon such fish may be possessed, shipped, or transported within the state in like manner as fish taken by a resident under a license. Any person making a false statement in any such certificate shall be guilty of a misdemeanor and subject to the same penalties as prescribed for violations of section 97.55, subdivision 11.

Sec. 3: Minnesota Statutes 1982, section 97.48, subdivision 26, is amended to read:

Subd. 26. The commissioner may designate all or part of any lake (WHICH DOES NOT EXCEED 2,000 ACRES OF WATER AREA) or (ANY) stream, but in aggregate not more than (15) 100 lakes (OR FIVE) and 25 streams (, NOR MORE THAN 10,000 ACRES OF WATER,) at any one time, as experimental waters and, notwithstanding any other provision of law, may establish by order the seasons, limits and methods for the taking of fish therefrom and such other regulations relating thereto as he deems desirable; provided the above may be done only on waters to which the public has free access after a public (HEARING) meeting has been held in the county where the lake or stream, or major portion thereof, is located. Notice of (SAID) the public (HEARING) meeting shall be published once in a legal newspaper within the county or counties where the lake is located not less than seven days prior to the (HEARING) meeting. *The commissioner shall establish methods and criteria for citizen initiation of experimental waters designation and for citizen participation in the evaluation of waters designated as experimental waters.*

Sec. 4. Minnesota Statutes 1982, section 97.48, is amended by adding a subdivision to read:

Subd. 26a. The commissioner may develop a system of classification under which waters which have been designated as experimental waters pursuant to subdivision 26 and other waters intrinsically suitable therefor are classified as primarily intended for use as trophy lakes, family fishing lakes, special species management lakes, or other categories of special use designated by the commissioner.

Sec. 5. Minnesota Statutes 1982, section 97.53, is amended by adding a subdivision to read:

Subd. 3. In addition to the publication requirements of this section, notice of opening of the netting season on whitefish,

tullibee, and herring may be given by posting the date and time in the public places deemed most appropriate by the commissioner not less than 48 hours prior to the opening of the netting season.

Sec. 6. [97.86] [IMPROVEMENT OF FISHING RESOURCES.]

Subdivision 1. [LICENSE SURCHARGE.] A surcharge of \$2.50 shall be added to the annual license fee for each license issued pursuant to section 98.46, subdivision 2, clauses (4) and (5), subdivision 2a, subdivision 5, clauses (1), (2), and (3), and subdivision 15. The proceeds of the surcharge shall be credited to the game and fish fund.

The commissioner may spend the proceeds of the surcharge for the following purposes:

(a) Rehabilitation and improvement of marginal fish producing waters administered on a cost sharing basis under agreements between the commissioner and other parties interested in sport fishing.

(b) Expansion of fishing programs including, but not limited to, aeration, stocking of marginal fishing waters in urban areas, shore fishing areas, and fishing piers. In the expenditure of funds pursuant to this clause, preference shall be given to local units of government and other parties willing and able to share costs.

(c) Upgrading of fish propagation capabilities in order to improve the efficiency of fish production, expansion of walleyed pike production from waters subject to winter kill for stocking in more suitable waters, and introduction of new species where deemed biologically appropriate by the commissioner.

(d) Financing the preservation and improvement of fish habitat. First priority shall be given to expansion of habitat improvement programs approved by the commissioner and implemented in cooperation with other interested parties.

(e) Increasing enforcement through use of covert operations, workteams, and added surveillance, communication, and navigational equipment.

(f) Not more than ten percent of the money available under this subdivision may be used for administrative or permanent personnel costs.

Subd. 2. [INTERIM STUDY.] The chairmen of the house environment and natural resources committee and the senate agriculture and natural resources committee shall review issues

and trends in the management and improvement of fishing resources, using information obtained by and presented to the committees by public and private agencies and organizations, and other parties interested in management and improvement of fishing resources. The committees may make recommendations to the commissioner on programs and projects for management and improvement of fishing resources.

The commissioner shall prepare an annual work plan for the expenditure of money under subdivision 1 and provide copies of the plan and any subsequent amendments to the committees and to other parties interested in management and improvement of fishing resources.

Sec. 7. Minnesota Statutes 1982, section 98.46, subdivision 5, is amended to read:

Subd. 5. Fees for the following licenses, to be issued to residents only, shall be:

- (1) To spear fish from a dark house, \$7.50;
- (2) For any fish house or dark house used during the winter fishing season, (\$3) \$5 for each fish house or dark house not rented or offered for hire, and (\$13) \$15 for each fish house or dark house rented or offered for hire. Each fish house or dark house shall have attached to the outside a metal tag at least two inches in diameter with a 3/16 inch hole in the center, which will be issued with a license. Each metal tag shall be stamped with a number to correspond with the fish house or dark house license and also shall be stamped with the year of issuance. The metal tag shall be attached to the fish house or dark house as designated by commissioner's order;
- (3) To net whitefish, tullibees or herring from inland lakes or international waters, for domestic use only, for each net, \$3;
- (4) To conduct a taxidermist business, for three consecutive years for residents 18 years of age and older, \$40; for residents under the age of 18, \$25;
- (5) To maintain fur and game farms, including deer, \$15;
- (6) To take, transport, purchase and possess for sale unprocessed turtles and tortoises within the state, \$50;
- (7) To prepare dressed game fish shipments for nonresidents as provided by section 97.45, subdivision 6, as amended, \$13;

(8) Minnow dealer, \$70 plus \$10 for each vehicle;

(9) Minnow dealer's helper, \$5 for each helper. Minnow dealer's helpers' licenses shall be issued to the minnow dealer and are transferable by the dealer at will to his own helpers;

(10) Exporting minnow dealer, \$250, plus \$10 for each vehicle.

Each vehicle license shall cover a specified vehicle. The serial number, license number, make, and model shall be specified on the license which must be conspicuously posted in the vehicle licensed.

Sec. 8. Minnesota Statutes 1982, section 101.42, subdivision 1a, is amended to read:

Subd. 1a. No muskellunge less than 36 inches in length may be taken in any waters north of trunk highway No. 210. *The commissioner may designate particular lakes north of trunk highway No. 210 in which muskellunge less than 36 inches but not less than 30 inches in length may be taken.*

Sec. 9. Minnesota Statutes 1982, section 101.42, subdivision 20, is amended to read:

Subd. 20. It shall be unlawful to take fish by angling with a set or unattended line except that two lines with a single hook attached to each line, used for angling through the ice, shall not be deemed an unattended line if the owner is within sight of the line. Lines to which tip-ups are attached shall not be deemed unattended if the owner is within 80 feet of the tip-up; *except that it is unlawful to use tip-ups or take fish by angling while spearing fish in a dark house.*

Sec. 10. [102.235] [NEW LICENSES PROHIBITED.]

The commissioner shall not issue any new commercial fishing license which permits netting of game fish on Lake of the Woods and Rainy Lake.

Sec. 11. Minnesota Statutes 1982, section 102.26, is amended by adding a subdivision to read:

Subd. 3a. *Beginning March 1, 1984, the commissioner shall limit the maximum poundage of walleye that may be taken by commercial fishermen in Lake of the Woods in any one season on the following schedule:*

YEAR	SEASONAL COMMERCIAL WALLEYE TAKE IN POUNDS
1984	164,000
1985	154,000
1986	144,000
1987	134,000
1988	120,000
1989	100,000
1990	80,000
1991	60,000
1992	40,000
1993	20,000
1994	0

For the 1984 license year, 150,000 pounds of walleye shall be divided equally among the ten existing gill net licenses according to order of the commissioner. Up to 14,000 pounds of walleye shall be divided among trap or pound licenses, provided that no licensee shall take more than the highest poundage harvested in any of the last three years. For 1985 and subsequent years the annual allocation of walleye poundage shall be determined by order of the commissioner.

Sec. 12. Minnesota Statutes 1982, section 102.26, is amended by adding a subdivision to read:

Subd. 3b. Beginning March 1, 1984, the commissioner shall limit the maximum poundage of walleye that may taken by commercial fishermen in Rainy Lake in any one season on the following schedule:

YEAR	SEASONAL COMMERCIAL WALLEYE TAKE IN POUNDS
1984	14,500
1985	13,000
1986	11,500

1987	10,000
1988	8,500
1989	7,000
1990	5,500
1991	4,000
1992	2,500
1993	1,000
1994	0

For the 1984 license year and subsequent years, the seasonal commercial walleye take in pounds in Rainy Lake shall be divided among the licensees by order of the commissioner.

Sec. 13. [EFFECTIVE DATE.]

This act is effective the day following final enactment, except that section 6, subdivision 1 and section 7 are effective March 1, 1984."

Delete the title and insert:

"A bill for an act relating to game and fish; imposing a surcharge on fishing licenses for development and improvement of state fishing resources; authorizing designation of experimental and specialized fishing waters; authorizing additional notice of netting season; increasing certain license fees; prohibiting angling and use of tip-ups while spearing in a dark house; prohibiting issuance of new commercial game fish netting licenses; allowing designation of lakes for taking of certain muskellunge; reducing the seasonal commercial walleye take in Lake of the Woods and Rainy Lake; amending Minnesota Statutes 1982, sections 97.48, subdivisions 8, 22, and 26, and by adding a subdivision; 97.53, by adding a subdivision; 98.46, subdivision 5; 101.42, subdivisions 1a and 20; and 102.26, by adding subdivisions; proposing new law coded in Minnesota Statutes, chapters 97 and 102."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF SENATE BILLS

S. F. No. 634 was read for the second time.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

House Concurrent Resolution No. 5, A house concurrent resolution commending the University of Minnesota Department of Civil and Mineral Engineering for receipt of the 1983 National Award for Outstanding Civil Engineering Achievement from the American Society of Civil Engineers.

PATRICK E. FLAHAVER, 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. 375, A bill for an act relating to public welfare; authorizing the establishment of community work experience programs on a pilot demonstration basis; proposing new law coded in Minnesota Statutes, chapter 256.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Blatz moved that the House concur in the Senate amendments to H. F. No. 375 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 375, A bill for an act relating to public welfare; authorizing the establishment of community work experience programs on a pilot demonstration basis; proposing new law coded in Minnesota Statutes, chapter 256.

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 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Evans	Kostohryz	Otis	Shea
Anderson, G.	Findlay	Krueger	Pauly	Simoneau
Battaglia	Fjoslien	Kvam	Peterson	Skoglund
Beard	Forsythe	Larsen	Piepho	Solberg
Begich	Frerichs	Long	Piper	Sparby
Bennett	Graba	Ludeman	Price	Sviggunn
Bergstrom	Greenfield	Mann	Quinn	Swanson
Bishop	Grucnes	Marsh	Quist	Thiede
Blatz	Gustafson	McDonald	Redalen	Tunheim
Brinkman	Gutknecht	McEachern	Reif	Uphus
Burger	Haukoos	McKasy	Rice	Valan
Carlson, L.	Heap	Metzen	Riveness	Valento
Clark, J.	Himle	Minne	Rodosovich	Vanasek
Clark, K.	Hoberg	Munger	Rodriguez, C.	Vellenga
Clawson	Hoffman	Murphy	Rodriguez, F.	Voss
Cohen	Hokr	Nelson, D.	Rose	Waltman
Coleman	Jennings	Nelson, K.	St. Onge	Welch
Dempsey	Jensen	Neuenschwander	Sarna	Welker
DenOuden	Johnson	Norton	Schafer	Welle
Dimler	Kahn	O'Connor	Scheid	Wenzel
Eken	Kalis	Ogren	Schoenfeld	Wigley
Elioff	Kelly	Olsen	Seaberg	Wynia
Ellingson	Knickerbocker	Ornen	Segal	Speaker Sieben
Erickson	Knuth	Osthoff	Shaver	

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. 114, A bill for an act relating to crimes; prohibiting promotion of minors to engage in sexual performance; defining terms; prohibiting dissemination and possession of works depicting minors in sexual performance; providing penalties; amending Minnesota Statutes 1982, sections 609.342; 609.343; 609.344; 609.345; 609.3641, subdivision 2; 609.3642, subdivision 2; 609.3643, subdivision 2; 609.3644, subdivision 2; 617.241; 617.243; 617.246; 617.247; and 617.298; repealing Minnesota Statutes 1982, section 617.298, subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Levi moved that the House concur in the Senate amendments to H. F. No. 114 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 114, A bill for an act relating to crimes; prohibiting promotion of minors to engage in sexual performance; defining

terms; prohibiting dissemination and possession of works depicting minors in sexual performance; providing penalties; amending Minnesota Statutes 1982, sections 609.342; 609.343; 609.344; 609.345; 609.3641, subdivision 2; 609.3642, subdivision 2; 609.3643, subdivision 2; 609.3644, subdivision 2; 617.241; 617.243; 617.246; 617.247; and 617.298; repealing Minnesota Statutes 1982, section 617.298, subdivision 4.

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 118 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Anderson, B.	Findlay	Kostohryz	Osthoff	Solberg
Anderson, G.	Fjoslien	Krueger	Otis	Sparby
Battaglia	Forsythe	Kvam	Pauly	Stadum
Beard	Ererichs	Larsen	Peterson	Staten
Begich	Graba	Levi	Piper	Svigum
Bennett	Greenfield	Long	Price	Swanson
Bergstrom	Gruenes	Ludeman	Quinn	Thiede
Bishop	Gustafson	Mann	Quist	Tomlinson
Blatz	Gutknecht	Marsh	Redalen	Tunheim
Brinkman	Haukoos	McDonald	Reif	Uphus
Burger	Heap	McEachern	Rice	Valan
Carlson, L.	Himle	McKasy	Riveness	Valento
Clark, J.	Hoberg	Metzen	Rodosovich	Vanasek
Clawson	Hoffman	Minne	Rodriguez, C.	Voss
Cohen	Hokr	Munger	Rodriguez, F.	Waltman
Coleman	Jacobs	Murphy	Rose	Welch
Dempsey	Jennings	Nelson, D.	St. Onge	Welker
DenOuden	Jensen	Nelson, K.	Sarna	Welle
Dimler	Johnson	Neuenschwander	Schoenfeld	Wenzel
Eken	Kahn	Norton	Seaberg	Wigley
Elioff	Kalis	O'Connor	Segal	Wynia
Ellingson	Kelly	Ogren	Shaver	Speaker Sieben
Erickson	Knickerbocker	Olsen	Simoneau	
Evans	Knuth	Onnen	Skoglund	

Those who voted in the negative were:

Vellenga

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. 1146 and 1189.

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. 1194.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1146, A bill for an act relating to statutes; conforming certain laws to judicial decisions of unconstitutionality; amending Minnesota Statutes 1982, sections 65B.51, subdivision 1; 154.03; 570.02, subdivision 2; and 573.01.

The bill was read for the first time.

Bishop moved that S. F. No. 1146 and H. F. No. 1172, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1189, A bill for an act relating to employment; exempting search firms from employment agency licensing; subjecting certain search firms to fee and bond requirements; requiring certain statements, fees, and bonds to be submitted at the time a search firm is established; amending Minnesota Statutes 1982, sections 184.22, subdivision 2, and by adding subdivisions; 184.29; 184.30, subdivision 1; and 184.41.

The bill was read for the first time.

Ogren moved that S. F. No. 1189 and H. F. No. 1090, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1194, A bill for an act relating to taxation; changing the tax paid on aviation gasoline; amending Minnesota Statutes 1982, section 296.02, subdivision 2.

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

SPECIAL ORDERS

S. F. No. 292 was reported to the House.

There being no objection, S. F. No. 292 was temporarily laid over on Special Orders.

H. F. No. 435, A bill for an act relating to crimes; establishing degrees of burglary; prescribing penalties; providing mandatory

terms of incarceration; proposing new law coded in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1982, section 609.58.

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 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Findlay	Kostohryz	Osthoff	Solberg
Anderson, G.	Fjoslien	Krueger	Otis	Sparby
Battaglia	Forsythe	Kvam	Pauly	Stadum
Beard	Frerichs	Larsen	Peterson	Staten
Begich	Graba	Levi	Piepho	Swiggum
Bennett	Greenfield	Long	Piper	Swanson
Bergstrom	Gruenes	Ludeman	Price	Thiede
Bishop	Gustafson	Mann	Quinn	Tomlinson
Blatz	Gutknecht	Marsh	Redalen	Tunheim
Brinkman	Haukoos	McDonald	Reif	Uphus
Burger	Heap	McEachern	Riveness	Valan
Carlson, L.	Heinitz	McKasy	Rodosovich	Valento
Clark, J.	Himle	Metzen	Rodriguez, C.	Vanasek
Clark, K.	Hoberg	Minne	Rodriguez, F.	Vellenga
Clawson	Hoffman	Munger	Rose	Voss
Cohen	Hokr	Murphy	St. Onge	Waltman
Coleman	Jacobs	Nelson, D.	Sarna	Welch
Dempsey	Jennings	Nelson, K.	Schafer	Welker
DenOuden	Jensen	Neuenschwander	Schcid	Welle
Dimler	Johnson	Norton	Schoenfeld	Wenzel
Eken	Kahn	O'Connor	Seaberg	Wigley
Elioff	Kalis	Ogren	Segal	Wynia
Ellingson	Kelly	Olsen	Shaver	Speaker Sieben
Erickson	Knickerbocker	Omamn	Simoneau	
Evans	Knuth	Onnen	Skoglund	

The bill was passed and its title agreed to.

H. F. No. 495, A bill for an act relating to mental health; regulating the collection, use, and disclosure of mental health agency data; amending Minnesota Statutes 1982, section 245.69, 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. There were 105 yeas and 16 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Bergstrom	Clark, J.	Dimler	Forsythe
Anderson, G.	Bishop	Clark, K.	Eken	Graba
Battaglia	Blatz	Clawson	Elioff	Greenfield
Beard	Brinkman	Cohen	Ellingson	Gruenes
Begich	Burger	Coleman	Evans	Gustafson
Bennett	Carlson, L.	Dempsey	Fjoslien	Heap

Heinitz	Long	Olsen	Rodriguez, C.	Stadum
Hoberg	Mann	Omamm	Rodriguez, F.	Staten
Hoffman	Marsh	Onnen	Rose	Swanson
Jacobs	McEachern	Osthoff	St. Onge	Tomlinson
Jensen	McKasy	Otis	Sarna	Tunheim
Johnson	Metzen	Peterson	Scheid	Valan
Kahn	Minne	Piepho	Schoenfeld	Vanasek
Kelly	Munger	Piper	Seaberg	Vellenga
Knickerbocker	Murphy	Price	Segal	Waltman
Knuth	Nelson, D.	Quinn	Shaver	Welch
Kostobryz	Nelson, K.	Quist	Shea	Welle
Krueger	Neuenschwander	Redalen	Simoneau	Wenzel
Kvam	Norton	Reif	Skoglund	Wigley
Larsen	O'Connor	Riveness	Solberg	Wynia
Levi	Ogren	Rodosovich	Sparby	Speaker Sieben

Those who voted in the negative were:

DenOuden	Gutknecht	Ludeman	Thiede	Valento
Erickson	Haukoos	McDonald	Uphus	Welker
Findlay	Hokr	Schafer		
Frerichs	Jennings	Sviggum		

The bill was passed and its title agreed to.

S. F. No. 297 was reported to the House.

Coleman moved to amend S. F. No. 297, the second engrossment, as follows:

Page 1, line 22, delete "shall" and insert "should"

Page 1, line 26, delete everything after "assault"

Page 1, delete line 27

Page 2, line 1, delete "arrest is not made" and after the period insert "For purposes of this section, "should arrest" means that an arrest must be made unless there are facts justifying the failure to arrest and those facts are clearly stated in the written report required by subdivision 4."

Page 2, after line 28, insert:

"Subd. 4. [REPORT REQUIRED.] Whenever a peace officer investigates an allegation that an incident described in subdivision 1 has occurred, whether or not an arrest is made, the officer shall make a written report of the alleged incident. The officer must submit the report to his supervisor or other person to whom the employer's rules or policies require reports of similar allegations of criminal activity to be made.

Subd. 5. [TRAINING.] The board of peace officer standards and training shall provide a copy of this section to every law enforcement agency in this state on or before June 30, 1983.

Upon request of the board of peace officer standards and training to the bureau of criminal apprehension, the subject matter of at least one training course must include instruction in the subject matter of domestic abuse. Every basic skills course required in order to obtain initial licensure as a peace officer must, after January 1, 1985, include at least three hours of training in handling domestic violence cases.

Sec. 2. Minnesota Statutes 1982, section 629.72, is amended by adding a subdivision to read:

Subd. 4. [SERVICE OF ORDER FOR PROTECTION.] If an order for protection is issued pursuant to section 518A.01 while the arrested person is still in detention, the order shall be served upon the arrested person during detention if possible."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon insert "requiring written reports of alleged domestic violence incidents; requiring peace officer training; requiring service of certain orders for protection upon arrested persons;"

Page 1, line 6, delete "section" and insert "sections"

Page 1, line 7, after the semicolon insert "629.72, by adding a subdivision;"

The motion prevailed and the amendment was adopted.

Findlay was excused between the hours of 1:40 p.m. until 2:35 p.m.

The Speaker called Wynia to the Chair.

Coleman moved that S. F. No. 297, as amended, be continued on Special Orders for one day. The motion prevailed.

S. F. No. 292 temporarily laid over earlier today was again reported to the House.

Ellingson moved to amend S. F. No. 292, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 626.556, subdivision 1, is amended to read:

Subdivision 1. [PUBLIC POLICY] The legislature hereby declares that the public policy of this state is to protect children whose health or welfare may be jeopardized through physical abuse, neglect or sexual abuse; to strengthen the family and make the home, school, and community safe for children (THROUGH IMPROVEMENT OF PARENTAL AND GUARDIAN CAPACITY FOR) by promoting responsible child care in all settings; and to provide, when necessary, a safe temporary or permanent home environment for physically or sexually abused children.

In addition, it is the policy of this state to require the reporting of suspected neglect, physical or sexual abuse of children in the home, school, and community settings; to provide for the voluntary reporting of abuse or neglect of children; to require the investigation of such reports; and to provide protective and counseling services in appropriate cases.

Sec. 2. Minnesota Statutes 1982, section 626.556, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] As used in this section, the following terms have the meanings given them unless the specific content indicates otherwise:

(a) "Sexual abuse" means the subjection by (THE CHILD'S PARENTS, GUARDIAN, OR) a person responsible for the child's care, to any act which constitutes a violation of sections 609.342, 609.343, 609.344, or 609.345, or sections 609.364 to 609.3644. Sexual abuse also includes any act which involves a minor which constitutes a violation of sections 609.321 to 609.324 or 617.246.

(b) "Person responsible for the child's care" means a parent, guardian, teacher, school administrator, or other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, baby sitting, counseling, teaching, and coaching.

((B)) (c) "Neglect" means failure by a (PARENT, GUARDIAN OR OTHER) person responsible for a child's care to supply a child with necessary food, clothing, shelter or medical care when reasonably able to do so or failure to protect a child from conditions or actions which imminently and seriously endanger the child's physical or mental health when reasonably able to do so. Nothing in this section shall be construed to mean that a child is neglected solely because the child's parent, guardian or other person responsible for his care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child; nor shall anything in this section be construed to impose upon persons, not otherwise legally responsible for providing a child with necessary food, clothing, and medical care, a duty to provide such care.

((C)) (d) "Physical abuse" means:

(i) Any physical injury *intentionally* inflicted by a (PARENT, GUARDIAN OR OTHER) person responsible for the child's care on a child other than by accidental means; or

(ii) Any physical injury that cannot reasonably be explained by the history of injuries provided by a (PARENT, GUARDIAN OR OTHER) person responsible for the child's care.

((D)) (e) "Report" means any report received by the local welfare agency, police department or county sheriff pursuant to this section.

((E)) (f) "Facility" means a day care facility or a residential facility as defined in section 245.782.

((F)) (g) "Operator" means an operator or agency as defined in section 245.782.

Sec. 3. Minnesota Statutes 1982, section 626.556, subdivision 7, is amended to read:

Subd. 7. [REPORT.] An oral report shall be made immediately by telephone or otherwise. An oral report made by a person required under subdivision 3 to report shall be followed as soon as possible by a report in writing to the appropriate police department, the county sheriff or local welfare agency. Any report shall be of sufficient content to identify the child, the (PARENT, GUARDIAN, OR OTHER) person responsible for his care, the nature and extent of the child's injuries and the name and address of the reporter. Written reports received by a police department or the county sheriff shall be forwarded immediately to the local welfare agency. The police department or the county sheriff may keep copies of reports received by them. Copies of written reports received by a local welfare department shall be forwarded immediately to the local police department or the county sheriff.

A written copy of a report maintained by personnel of agencies, other than welfare or law enforcement agencies, which are subject to chapter 13 shall be confidential. An individual subject of the report may obtain access to the original report as provided by subdivision 11.

Sec. 4. Minnesota Statutes 1982, section 626.556, subdivision 10, is amended to read:

Subd. 10. [DUTIES OF LOCAL WELFARE AGENCY UPON RECEIPT OF A REPORT.] *If the report alleges neglect, physical abuse, or sexual abuse by a parent, guardian, or*

individual functioning within the family unit as a person responsible for a child's care, the local welfare agency shall immediately investigate and offer protective social services for purposes of preventing further abuses, safeguarding and enhancing the welfare of the abused or neglected minor, and preserving family life whenever possible. When necessary the local welfare agency shall seek authority to remove the child from the custody of his parent, guardian or adult with whom he is living. In performing any of these duties, the local welfare agency shall maintain appropriate records. If the report alleges neglect, physical abuse, or sexual abuse by an individual functioning outside the family unit as a person responsible for a child's care in a setting other than a facility licensed pursuant to sections 245.781 to 245.812, the local welfare agency shall immediately notify the appropriate law enforcement agency and shall offer appropriate social services for the purpose of safeguarding and enhancing the welfare of the abused or neglected minor.

Sec. 5. [EFFECTIVE DATE.]

This act is effective July 1, 1983."

Delete the title and insert:

"A bill for an act relating to public welfare; defining persons responsible for a child's care under the child abuse reporting law; amending Minnesota Statutes 1982, section 626.556, subdivisions 1, 2, 7, and 10."

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

S. F. No. 292, A bill for an act relating to public welfare; defining persons responsible for a child's care under the child abuse reporting law; amending Minnesota Statutes 1982, section 626.556, subdivisions 2, 7, and 10.

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

The question was taken on the passage of the bill and the roll was called. There were 106 yeas and 11 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Beard	Bergstrom	Blatz	Carlson, L.
Anderson, R.	Begich	Berkelman	Brinkman	Clark, J.
Battaglia	Bennett	Bishop	Burger	Clark, K.

Clawson	Himle	McKasy	Piper	Simoneau
Cohen	Hoberg	Metzen	Price	Skoglund
Coleman	Hoffman	Minne	Quinn	Solberg
Dempsey	Hokr	Munger	Quist	Sparby
Eken	Jacobs	Murphy	Redalen	Swanson
Elioff	Jennings	Nelson, D.	Reif	Tunheim
Ellingson	Jensen	Nelson, K.	Rice	Valento
Evans	Johnson	Neuenschwander	Riveness	Vellenga
Findlay	Kahn	Norton	Rodosovich	Voss
Fjoslie	Kelly	O'Connor	Rodriguez, C.	Waltman
Forsythe	Knickerbocker	Ogren	Rodriguez, F.	Welch
Graba	Knuth	Olsen	Rose	Welle
Greenfield	Kostohryz	Omann	Sarna	Wenzel
Gruenes	Krueger	Onnen	Scheid	Wynia
Gustafson	Levi	Osthoff	Schoenfeld	Speaker Sieben
Gutknecht	Long	Otis	Seaberg	
Halberg	Mann	Pauly	Segal	
Heap	McDonald	Peterson	Shaver	
Heinitz	McEachern	Piepho	Shea	

Those who voted in the negative were:

DenOuden	Ludeman	Svigum	Welker	Zaffke
Erickson	St. Onge	Thiede		
Ferichs	Schafer	Uphus		

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

Rice from the Committee on Appropriations to which was referred:

H. F. No. 233, A bill for an act relating to retirement; providing post retirement annuity or benefit increases for certain retired or disabled public employees.

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

The report was adopted.

Rice from the Committee on Appropriations to which was referred:

H. F. No. 652, A bill for an act relating to retirement; public plans generally; providing for the fiduciary obligation of trustees; complying with federal limits on annual benefits; providing that moneys of public pension plans are for the exclusive benefit of eligible employees and their beneficiaries; amending Minnesota Statutes 1982, sections 356.61; 354A.021, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 356.

Reported the same back with the following amendments:

Page 5, line 2, delete everything after "*effective*" and insert "*retroactive to January 1, 1983.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on Appropriations to which was referred:

S. F. No. 147, A bill for an act relating to retirement; employee and employer contributions to the Minnesota state retirement system; amending Minnesota Statutes 1982, section 352.92, subdivisions 1 and 2.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 233 and 652 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 147 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Rice, for the Committee on Appropriations, introduced:

H. F. No. 1290, A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government with certain conditions; providing for the transfer of certain money in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; creating, abolishing, modifying, and transferring agencies and functions; imposing a penalty; amending Minnesota Statutes 1982, sections 3.732, by adding a subdivision; 3.9222; 15.16, subdivision 5; 15A.083, subdivision 1; 16.32, subdivision 2; 16.75, by adding a subdivision; 16.82,

subdivision 1; 16.866, subdivision 1; 16.911; 16A.125, subdivision 5; 16A.127, subdivisions 1 and 7; 16A.36; 16A.50; 16A.64, subdivisions 2 and 4; 16A.66, subdivisions 1, 2, and 3; 40.072, subdivision 3; 43A.05, subdivision 5; 85A.01, subdivision 2; 85A.04, subdivision 3; 98.47, by adding a subdivision; 98.48, subdivision 9; 105.405, subdivision 2; 105.41, subdivision 5; 124.46, subdivision 2; 136.40, subdivision 8; 169.123, subdivision 6; 175A.-05; 176.183, subdivision 2; 179.7411; 181A.12, subdivision 1; 183.375, subdivision 5; 183.411, subdivision 3; 183.545; 183.57, subdivision 2; 256.481; 256.482; 270.18; 271.01, subdivision 1; 290.06, subdivision 13; 296.18, subdivision 1; 296.421, subdivision 5; 309.53, subdivision 2, and by adding a subdivision; 357.08; 363.02, subdivision 1; 363.06, subdivision 4; 462A.05, by adding a subdivision; 462A.21, by adding a subdivision; 480.-09, subdivision 5; 480.241, subdivision 2; 480A.01, subdivision 2; 481.01; and 546.27, subdivision 2; Laws 1976, chapter 314, section 3; Laws 1980, chapter 614, section 192; proposing new law coded in Minnesota Statutes, chapters 3; 16; 16A; 116C; 198; 270; repealing Minnesota Statutes 1982, sections 3.472; 3.86; 4.073; 105.71; 105.72; 105.73; 105.74; 105.75; 105.751; 105.76; 105.77; 105.78; 105.79; 114A.01; 114A.02; 114A.03; 114A.04; 114A.05; 114A.06; 114A.07; 114.08; 114A.09; 193.35; 297A.05; and Laws 1965, chapter 66.

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

POINT OF ORDER

Norton raised a point of order pursuant to rule 5.8 that H. F. No. 1290 be referred to the Committee on Governmental Operations.

Pursuant to Section 244 of "Mason's Manual of Legislative Procedure" the Speaker deferred his decision on the point of order.

INTRODUCTION AND FIRST READING OF HOUSE BILLS, Continued

McEachern; Carlson, L.; Nelson, K.; Olsen and Jennings introduced:

H. F. No. 1291, A bill for an act proposing an amendment to the Minnesota Constitution, article XI, section 8; removing the constitutional restrictions on permanent school fund investments; establishing statutory restrictions; amending Minnesota Statutes 1982, section 11A.16, subdivision 4.

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

Clark, K.; Battaglia; Munger and Kahn introduced:

H. F. No. 1292, A bill for an act relating to environment; requiring a permit for test drilling of geologic structures for disposal of high level radioactive waste and notification of results; regulating transportation of high level radioactive waste through the state; providing penalties; proposing new law coded in Minnesota Statutes, chapter 116C.

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

Nelson, K., and Anderson, B., introduced:

H. F. No. 1293, A bill for an act relating to food; regulating the bulk sale of food; proposing new law coded in Minnesota Statutes, chapter 31.

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

Wenzel, Begich, Battaglia, Solberg and McDonald introduced:

H. F. No. 1294, A bill for an act relating to public employees; prohibiting certain salary increases based solely on percentages of base salary; proposing new law coded in Minnesota Statutes, chapter 179.

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

Rodriguez, C., and Halberg introduced:

H. F. No. 1295, A bill for an act relating to taxation; providing for a special definition of residency for income taxes for 1980 and 1981.

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

Rodriguez, C.; Brandl; Halberg and Levi introduced:

H. F. No. 1296, A bill for an act relating to taxation; changing the definition of residency for income tax purposes; amending Minnesota Statutes 1982, section 290.01, subdivision 7.

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

DenOuden; Anderson, B.; Thiede; Dimler and Reif introduced:

H. F. No. 1297, A bill for an act relating to state police aid; use of excess not required to pay retirement contributions; amending Minnesota Statutes 1982, section 69.031, subdivision 5.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 610, A bill for an act relating to financial institutions; industrial loan and thrift companies; regulated loans; enlarging the group of institutions which may utilize electronic fund transfer facilities; modifying the capital and reserve limitation on loans by industrial loan and thrift companies; permitting loan and thrifts and regulated lenders to take discount points in certain circumstances; authorizing loan and thrifts to receive savings accounts and savings deposits subject to certain prescribed conditions; regulating loan splitting; eliminating the receipt requirement for money orders; standardizing certain penalties; excepting loan and thrifts and regulated lenders from the licensing requirements for real estate brokers and salespersons; amending Minnesota Statutes 1982, sections 47.61, subdivision 4; 47.64, subdivision 1; 48.196; 53.03, subdivision 5; 53.04, subdivisions 3a and 5; 53.05; 53.07, subdivision 2; 53.10; 56.131, subdivision 3, and by adding a subdivision; 56.14; 56.19, subdivision 1; 80A-15, subdivision 1; and 82.18; repealing Minnesota Statutes 1982, section 56.19, subdivision 2.

The Senate has appointed as such committee Messrs. Wegscheid, Benson and Solon.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVERN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 582, A bill for an act relating to corrections; clarifying the powers of the commissioner of corrections; limiting certain inmate functions; authorizing the use of necessary force to prevent escape; providing for the costs of transporting juvenile delinquents committed to the commissioner of corrections; providing for supervision of gross misdemeanor probationers; removing archaic language; amending Minnesota Statutes 1982, sections 241.01, subdivision 3a; 241.23; 242.31, subdivisions 1 and 3; 243.17, subdivision 1; 243.52; 243.58; 243.62; 609.135, subdivision 1; and 624.714, subdivision 13.

The Senate has appointed as such committee Messrs. Pogemiller, Laidig and Ms. Peterson, D. C.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVERN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 149, A bill for an act relating to natural resources; clarifying the hunting of certain animals with dogs; amending Minnesota Statutes 1982, section 98.46, subdivision 2.

The Senate has appointed as such committee Messrs. Mehrkens, Lessard and Frederick.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 218, A bill for an act relating to crimes; expanding the rights of victims of crime; affirming the right of victims to bring civil 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 development of a plan for notifying crime victims about available financial assistance and social services; providing for victim participation in the criminal process; providing penalties; amending Minnesota Statutes 1982, sections 241.26, subdivisions 5 and 6; 243.23, subdivision 3; 571.55, by adding a subdivision; 609.115, subdivision 1; 609.498; and 631.425, subdivision 5; proposing new law coded as Minnesota Statutes, chapter 611A.

The Senate has appointed as such committee Messrs. Dicklich, Merriam and Knaak.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 653, A bill for an act relating to elections; making numerous procedural changes in the election law; removing or clarifying obsolete and inappropriate language; rearranging certain provisions; amending Minnesota Statutes 1982, sections 201.061, subdivision 3; 203B.11; 203B.12, subdivision 2; 204B.-31; 204B.33; 204B.36, subdivision 2; 204C.08, subdivision 1;

204C.10, subdivision 1; 204C.12, subdivisions 3 and 4; 204C.24, subdivision 1; 204C.25; 204C.35; 204D.11, subdivision 5; 204D.-13, subdivision 3; 205.17, subdivisions 3 and 4; 206.11; 206.19, subdivision 1; 210A.39; proposing new law coded in Minnesota Statutes, chapter 204C; repealing Minnesota Statutes 1982, section 204B.06, subdivision 3.

The Senate has appointed as such committee Messrs. Hughes, Luther and Peterson, D. L.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 672, A bill for an act relating to taxation; sales and use; clarifying the taxability or exempt status of certain items or transactions; providing penalties for certain operators or misuse of exemption certificates; clarifying filing dates and penalties for not timely filing or paying the tax; authorizing the filing of security and the use of sampling; providing restrictions on refunds; clarifying payments required before appeal; eliminating the fee for permits; amending Minnesota Statutes 1982, sections 297A.01, subdivisions 3 and 4; 297A.25, subdivision 1; 297A.27, subdivision 1; 297A.275; 297A.28; 297A.31, subdivision 1; 297A.35, subdivision 1, and by adding a subdivision; 297A.391; and 297B.03; proposing new law coded in Minnesota Statutes, chapter 297A; repealing Minnesota Statutes 1982, sections 297A.05 and 297A.251.

The Senate has appointed as such committee Messrs. Merriam, Sieloff and Vega.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in

which amendment the concurrence of the House is respectfully requested:

H. F. No. 289, A bill for an act relating to the city of St. Paul; authorizing the city to permit, by ordinance, the use of an "on-sale" liquor license issued by the city at the Highland Park and Phalen Park club houses.

PATRICK E. FLAHAVEN, Secretary of the Senate

O'Connor moved that the House refuse to concur in the Senate amendments to H. F. No. 289, 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. 419, A bill for an act relating to insurance; fire; hail; requiring the insured, in case of loss, to show the damaged property and related records to the company and consent to be examined under oath; providing for the exchange of information on losses or potential losses between companies and authorized persons; providing for the appraisal of losses; specifying the procedure to be used in selecting appraisers; amending Minnesota Statutes 1982, sections 65A.01, subdivision 3; 65A.26; 65A.29; and 299F.054, subdivisions 1, 2, 4, and by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Berkelman moved that the House concur in the Senate amendments to H. F. No. 419 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 419, A bill for an act relating to insurance; fire; hail; requiring the insured, in case of loss, to show the damaged property and related records to the company and consent to be examined under oath; providing for the exchange of information

on losses or potential losses between companies and authorized persons; providing for the appraisal of losses; specifying the procedure to be used in selecting appraisers; amending Minnesota Statutes 1982, sections 65A.01, subdivision 3; 65A.26; 65A.-29; and 299F.054, subdivisions 1, 2, 4, and by adding a subdivision.

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

The question was taken on the repassage of the bill and the roll was called. There were 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Erickson	Krueger	Piepho	Stadum
Anderson, G.	Evans	Larsen	Piper	Staten
Anderson, R.	Findlay	Levi	Price	Sviggum
Battaglia	Fjoslien	Long	Quinn	Swanson
Beard	Forsythe	Ludeman	Quist	Thiede
Begich	Graba	Mann	Redalen	Tomlinson
Bennett	Greenfield	Marsh	Reif	Tunheim
Bergstrom	Gustafson	McDonald	Rice	Uphus
Berkelman	Gutknecht	McEachern	Riveness	Valan
Bishop	Halberg	McKasy	Rodosovich	Valento
Blatz	Haukoos	Metzen	Rodriguez, C.	Vanasek
Brandl	Heinitz	Minne	Rodriguez, F.	Vellenga
Brinkman	Himle	Munger	Rose	Voss
Burger	Hoberg	Murphy	St. Onge	Waltman
Carlson, L.	Hoffman	Nelson, K.	Sarna	Welch
Clark, J.	Hokr	Norton	Schafer	Welker
Clark, K.	Jacobs	O'Connor	Scheid	Welle
Clawson	Jennings	Ogren	Schoenfeld	Wenzel
Cohen	Jensen	Olsen	Seaberg	Wynia
Dempsey	Johnson	Omann	Segal	Zaffke
DenOuden	Kahn	Onnen	Shaver	Speaker Sieben
Dimler	Kelly	Osthoff	Shea	
Eken	Knickerbocker	Otis	Simoneau	
Elioff	Knuth	Pauly	Solberg	
Ellingson	Kostohryz	Peterson	Sparby	

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

Mr. Speaker:

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

S. F. No. 463, A bill for an act relating to port authorities; authorizing revenue bond financing of certain facilities; eliminating the interest rate limit on revenue bonds and authorizing private sale; clarifying contractual and operational authority of port authorities; amending Minnesota Statutes 1982, sections 458.192, subdivisions 1, 4, and by adding a subdivision; 458.194, subdivisions 2, 3, and by adding a subdivision; and 458.195, by adding a subdivision.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Mrs. Lantry, Messrs. Schmitz and Belanger.

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

PATRICK E. FLAHAVER, Secretary of the Senate

Cohen moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 463. The motion prevailed.

Mr. Speaker:

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

S. F. No. 398, A bill for an act relating to vulnerable adults; refining the Vulnerable Adults Reporting Act; specifying reporting requirements; specifying access to reports; preventing record destruction; amending Minnesota Statutes 1982, section 626.557, subdivisions 2, 3, 4, 10, 12, 14, and by adding a subdivision; repealing Minnesota Statutes 1982, section 626.557, subdivision 12a.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Messrs. Spear; Peterson, R. W., and Knaak.

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

PATRICK E. FLAHAVER, Secretary of the Senate

Clawson moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 398. The motion prevailed.

Mr. Speaker:

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

S. F. No. 639, A bill for an act relating to energy; changing a cross-reference for nonpublic data reporting; amending the

definition of "earth sheltered"; changing the due date of biennial energy reports; amending Minnesota Statutes 1982, sections 13.68, subdivision 1; 116J.06, subdivision 2; and 116J.18, subdivision 1.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Mrs. McQuaid, Mr. Frank and Ms. Olson.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Piper moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 639. The motion prevailed.

Mr. Speaker:

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

S. F. No. 892, A bill for an act relating to insurance, authorizing the establishment of joint self-insurance employee health plans; providing administrative, trust, bonding, investment, and reporting requirements; establishing a quarterly revenue fee; proposing new law coded as Minnesota Statutes, chapter 62H.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Messrs. Petty, Solon and Benson.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Berkelman moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 892. The motion prevailed.

Mr. Speaker:

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

S. F. No. 800, A bill for an act relating to health; providing for retention and destruction of certain medical records; amending Minnesota Statutes 1982, section 145.32.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Messrs. Peterson, R. W.; Knaak and Freeman.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Brandl moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 800. The motion prevailed.

SPECIAL ORDERS, Continued

H. F. No. 547 was reported to the House.

Vanasek moved that H. F. No. 547 be continued on Special Orders until Thursday, May 12, 1983. The motion prevailed.

S. F. No. 752 was reported to the House.

Begich moved to amend S. F. No. 752, as follows:

Page 1, after line 23, insert:

"Sec. 3. Minnesota Statutes 1982, section 609.66, is amended to read:

609.66 [DANGEROUS WEAPONS.]

Subdivision 1. [ACTS PROHIBITED.] Whoever does any of the following is guilty of a misdemeanor:

(1) Recklessly handles or uses a gun or other dangerous weapon or explosive so as to endanger the safety of another; or

(2) Intentionally points a gun of any kind, capable of injuring or killing a human being and whether loaded or unloaded, at or toward another, *except in self defense or other lawful purpose*; or

(3) Manufactures or sells for any unlawful purpose any weapon known as a slung-shot or sand club; or

(4) Manufactures, transfers, or possesses *for any unlawful purpose*, metal knuckles or a switch blade knife opening automatically; or

(5) Possesses any other dangerous article or substance for the purpose of being used unlawfully as a weapon against another; or

(6) Sells or has in his possession any device designed to silence or muffle the discharge of a firearm *except as provided in federal law*; or

(7) Without the parent's or guardian's consent, furnishes a child under 14 years of age, (OR AS A PARENT OR GUARDIAN PERMITS SUCH CHILD TO HANDLE OR USE,) outside of the parent's or guardian's presence, a firearm or airgun of any kind, or any ammunition or explosive; or

(8) In any municipality of this state, furnishes a minor under 18 years of age with a firearm, airgun, ammunition, or explosive without the written consent of his parent or guardian or of the police department or magistrate of (SUCH) *the municipality, except that participation in the normal activities of firearms safety training courses offered under the auspices of the department of natural resources or under a nationally published standard shall not constitute a violation.*

Subd. 2. [EXCEPTIONS.] Nothing in this section prohibits the possession of the articles mentioned by museums or collectors of art or for other lawful purposes (OF PUBLIC EXHIBITION).

Subd. 3. [LOCAL REGULATION.] *This section shall be construed to supersede municipal or county regulations.*

Sec. 4. Minnesota Statutes 1982, section 624.712, is amended to read:

624.712 [DEFINITIONS.]

Subdivision 1. [TERMS DEFINED.] As used in sections 624.711 to 624.717, the terms defined in this section shall have the meanings given them.

Subd. 2. [HANDGUN.] ("PISTOL") "*Handgun*" includes a weapon designed to be fired by the use of a single hand and with an overall length less than 26 inches, or having a barrel or barrels of a length less than 18 inches in the case of a shotgun or having a barrel of a length less than 16 inches in the case of a rifle (a) from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive sub-

stances; or (b) for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas, or vapor.

("PISTOL") "*Handgun*" does not include a device firing or ejecting a shot measuring (.18) .22 of an inch, or less, in diameter and commonly known as a "BB gun," a scuba gun, a stud gun or nail gun used in the construction industry or children's pop guns or toys.

Subd. 3. [ANTIQUE FIREARM.] "Antique firearm" means any firearm, including any (PISTOL) *handgun*, with a matchlock, flintlock, percussion cap, or similar type of ignition system, manufactured *in or before* (1899) 1898 and any replica of any firearm described herein if such replica is not designed or redesigned, made or remade, or intended to fire conventional rimfire or conventional centerfire ammunition, or uses conventional rimfire or conventional centerfire ammunition which is not readily available in the ordinary channels of commercial trade.

Subd. 4. [FIREARM.] ("SATURDAY NIGHT SPECIAL PISTOL" MEANS A PISTOL OTHER THAN AN ANTIQUE FIREARM OR A PISTOL FOR WHICH THE PROPELLING FORCE IS CARBON DIOXIDE, AIR OR OTHER VAPOR, OR CHILDREN'S POP GUNS OR TOYS, HAVING A FRAME, BARREL, CYLINDER, SLIDE OR BREECHBLOCK:)

((A) OF ANY MATERIAL HAVING A MELTING POINT (LIQUIDUS) OF LESS THAN 1,000 DEGREES FAHRENHEIT, OR)

((B) OF ANY MATERIAL HAVING AN ULTIMATE TENSILE STRENGTH OF LESS THAN 55,000 POUNDS PER SQUARE INCH, OR)

((C) OF ANY POWDERED METAL HAVING A DENSITY OF LESS THAN 7.5 GRAMS PER CUBIC CENTIMETER) "*Firearm*" means any gun, including shotguns, rifles, and handguns, from which shot or projectile is discharged by means of an explosive, gas, or compressed air.

Subd. 5. [CRIME OF VIOLENCE.] "Crime of violence" includes murder in the first degree, murder in the second degree, murder in the third degree, manslaughter in the first degree, manslaughter in the second degree, aiding suicide, aiding attempted suicide, aggravated assault, use of drugs to injure or to facilitate crime, simple robbery, aggravated robbery, kidnapping, false imprisonment, (AGGRAVATED RAPE, RAPE, AGGRAVATED SODOMY) *criminal sexual conduct in the first degree, criminal sexual conduct in the second degree, criminal sexual conduct in the third degree, felonious theft, (AGGRAVATED) arson in the first degree, riot, burglary, (RECKLESS USE OF A GUN OR DANGEROUS WEAPON, INTENTION-*

ALLY POINTING A GUN AT OR TOWARDS A HUMAN BEING,) setting a spring gun, and unlawfully owning, possessing, or operating a machine gun, and an attempt to commit any of these offenses, as each of those offenses is defined in chapter 609.

Subd. 6. [TRANSFER.] "Transfer" means a sale, gift, loan, assignment, or other delivery to another, whether or not for consideration, of a (PISTOL) *handgun*, or the frame or receiver of a (PISTOL) *handgun*.

Subd. 7. [FULL-TIME POLICE DEPARTMENT.] "*Full-time police department*" means a police department with at least one full-time employee.

Sec. 5. Minnesota Statutes 1982, section 624.713, is amended to read:

624.713 [(CERTAIN) PERSONS NOT TO HAVE (PISTOLS) CERTAIN FIREARMS; PENALTY.]

Subdivision. 1. The following persons shall not be entitled to possess a (PISTOL) *handgun*:

(a) A person under the age of 18 years except that a person under 18 may carry or possess a (PISTOL) *handgun* (i) in the actual presence or under the (DIRECT) supervision of his parent or guardian, (ii) for the purpose of military drill under the auspices of a legally recognized military organization and under competent supervision, (iii) for the purpose of instruction, competition or target practice on a firing range (APPROVED BY THE CHIEF OF POLICE OR COUNTY SHERIFF IN WHOSE JURISDICTION THE RANGE IS LOCATED AND UNDER DIRECT SUPERVISION); (iv) for lawful hunting; or (IV) (v) if the person has successfully completed a course designed to teach marksmanship and safety with a (PISTOL) *firearm* and approved by the commissioner of natural resources (;). *This provision shall not limit inheritance rights or other property rights.*

(b) A person who has been convicted in this state or elsewhere of a crime of violence unless ten years have elapsed since the person has been restored his civil rights or the sentence has expired, whichever occurs first, and during that time he has not been convicted of any other crime of violence. *Persons thus prohibited shall not possess any firearms during the period of their disability.* For purposes of this section, crime of violence includes crimes in other states or jurisdictions which would have been crimes of violence as herein defined if they had been committed in this state (;).

(c) A person who is or has ever been confined or committed in Minnesota or elsewhere as a "mentally ill," "mentally defi-

cient," "*mentally retarded*" or "dangerous to the public" person as those terms (ARE) *were* defined in section 253A.02 or *are* defined in section 253B.02, to a hospital, mental institution or sanitarium, unless he possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory (PROOF) *evidence* that he is no longer suffering from this disability (;). *Property rights in firearms shall not be abated.*

(d) A person who has been convicted in Minnesota or elsewhere for the unlawful use, possession or sale of a controlled substance other than conviction for possession of a small amount of marijuana, as defined in section 152.01, subdivision 16, or a person who is or has ever been hospitalized or committed for treatment for the habitual use of a controlled substance or marijuana, as defined in sections 152.01 and 152.02, unless he possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory (PROOF) *evidence*, that he has not abused a controlled substance or marijuana during the previous two years; or

(e) A person who has been confined or committed to a hospital, mental institution or sanitarium in Minnesota or elsewhere as an "inebriate person" as that term (IS) *was* defined in section 253A.02 or as a "*chemically dependent person*" as that term is defined in section 253B.02. (OR FOR ALCOHOLIC PROBLEMS,) unless he (POSSESSES A CERTIFICATE OF A MEDICAL DOCTOR OR PSYCHIATRIST LICENSED IN MINNESOTA, OR OTHER SATISFACTORY PROOF, THAT HE HAS NOT ABUSED ALCOHOL DURING THE PREVIOUS TWO YEARS) *has completed treatment*. A person who issues a certificate pursuant to this subdivision in good faith shall not be liable for damages in an action arising out of the issuance. *Property rights shall not be abated.*

Subd. 2. [PENALTY.] A person named in subdivision 1, clause (b) who possesses a (PISTOL) *firearm* is guilty of a felony. A person named in any other clause of subdivision 1 who possesses a (PISTOL) *handgun* is guilty of a gross misdemeanor.

Sec. 6. Minnesota Statutes 1982, section 624.7131, is amended to read:

624.7131 [(TRANSFEREE PERMIT) ANNUAL LICENSE TO PURCHASE HANDGUNS FROM FEDERALLY LICENSED DEALERS; PENALTY.]

Subdivision 1. [REQUIRED INFORMATION.] *Federally licensed dealers shall sell handguns only to holders of licenses to purchase*. Any person may apply for a (PISTOL TRANSFEREE PERMIT) *handgun purchase license* by providing the following information in writing to the chief of police of an organized full time police department of the municipality in which he

resides or to the county sheriff if there is no (SUCH) local chief of police:

(a) The name, residence, telephone number, and driver's license number or nonqualification certificate number, if any, of the (PROPOSED TRANSFEREE) *applicant*;

(b) The sex, date of birth, height, weight, and color of eyes of the (PROPOSED TRANSFEREE) *applicant*;

(c) A statement by the (PROPOSED TRANSFEREE) *applicant* that he is not prohibited by section 624.713 from possessing a (PISTOL) *handgun*.

The statement shall be signed by (THE PERSON APPLYING FOR A PERMIT) *the applicant*. At the time of application, the local police authority shall provide the applicant with a dated receipt for the application.

Subd. 2. [INVESTIGATION.] The chief of police or sheriff shall check criminal histories, records and warrant information relating to the applicant through the Minnesota crime information system *but shall not be required to conduct additional investigation*.

Subd. 3. [FORMS.] Chiefs of police and sheriffs shall make (TRANSFEREE PERMIT) application forms available throughout the community. There shall be no charge for forms, reports, investigations, notifications, *any waivers required in investigating whether the applicant is prohibited from possessing firearms under section 624.713, subdivision 1, clause (b), (c), (d), or (e)* or any other act performed or materials provided by a government employee or agency in connection with application for or issuance of a (TRANSFEREE PERMIT) *license to purchase handguns*.

Subd. 4. [GROUNDS FOR DISQUALIFICATION.] (A DETERMINATION BY THE CHIEF OF POLICE OR SHERIFF THAT) *Unless the applicant is prohibited by section 624.713 from possessing a (PISTOL) handgun, he shall be (THE ONLY BASIS FOR REFUSAL TO GRANT A TRANSFEREE PERMIT) granted a license to purchase handguns*.

Subd. 5. [GRANTING OF (PERMITS) LICENSES TO PURCHASE HANDGUNS.] The chief of police or sheriff shall issue a (TRANSFEREE PERMIT) *license to purchase handguns* or deny the application within seven days of application for the (PERMIT) *license*. The chief of police or sheriff shall provide an applicant with written notification of a denial and the specific reason for the denial. The (PERMITS) *licenses* and their renewal shall be granted free of charge. *The identity and addresses of license holders shall not be public information*.

Subd. 6. [(PERMITS) *LICENSES VALID STATEWIDE; RENEWAL.*] (TRANSFEREE PERMITS) *Licenses to purchase handguns* issued pursuant to this section are valid statewide for purchase of any number of handguns and shall expire after one year. A (TRANSFEREE PERMIT) *license to purchase handguns* may be renewed in the same manner and subject to the same provisions by which the original (PERMIT) *license* was obtained. (PERMITS) *Licenses* issued pursuant to this section are not transferable. A person who transfers a (PERMIT) *license* in violation of this subdivision is guilty of a misdemeanor.

Subd. 7. [(PERMIT) *LICENSE VOIDED.*] The (TRANSFEREE PERMIT) *license to purchase handguns* shall be void at the time that the holder becomes prohibited from possessing a (PISTOL) *handgun* under section 624.713, in which event the holder shall return the (PERMIT) *license* within five days to the issuing authority. Failure of the holder to return the permit within the five days is a misdemeanor unless the court finds that the circumstances or the physical or mental condition of the permit holder prevented the holder from complying with the return requirement.

Subd. 8. [HEARING UPON DENIAL.] Any person aggrieved by denial of a (TRANSFEREE PERMIT) *license to purchase handguns* may appeal the denial to the county court or county municipal court having jurisdiction over the county or municipality in which the denial occurred.

Subd. 9. [(PERMIT) *LICENSE TO CARRY HANDGUNS.*] A valid (PERMIT) *license to carry a handgun or weapon* issued pursuant to section 624.714 constitutes a (TRANSFEREE PERMIT) *license to purchase handguns* for the purposes of this section (AND SECTION 624.7132).

Subd. 10. [TRANSFER (REPORT NOT REQUIRED) TO UNKNOWN OR PROHIBITED PERSON.] (A PERSON WHO TRANSFERS A PISTOL TO A PERSON EXHIBITING A VALID TRANSFEREE PERMIT ISSUED PURSUANT TO THIS SECTION OR A VALID PERMIT TO CARRY ISSUED PURSUANT TO SECTION 624.714 IS NOT REQUIRED TO FILE A TRANSFER REPORT PURSUANT TO SECTION 624.7132, SUBDIVISION 1.) (a) *No person may transfer a handgun to another who is not personally known to the transferor unless the proposed transferee presents evidence of his identity to the transferor. A person who transfers a pistol in violation of this clause is guilty of a misdemeanor.*

(b) *No person who is not personally known to the transferor may become a transferee of a handgun unless he presents evidence of his identity to the transferor. A person who becomes a transferee of a handgun in violation of this clause is guilty of a misdemeanor.*

(c) *No person may transfer a handgun to a person whom he knows to come under the prohibitions of section 624.713, subdivision 1, clause (b). A person who becomes a transferor of a handgun in violation of this clause is guilty of a felony.*

(d) *No person may transfer a handgun to a person whom he knows to come under the prohibitions of section 624.713, subdivision 1, clause (a), (c), (d), or (e). A person who becomes a transferor of a handgun in violation of this clause is guilty of a gross misdemeanor.*

Subd. 11. [PENALTY.] *A person who makes a false statement in order to obtain a (TRANSFEREE PERMIT) license to purchase handguns, knowing or having reason to know the statement is false, is guilty of a gross misdemeanor. A person who makes a false statement in order to obtain a license to purchase handguns, knowing or having reason to know that he is prohibited from handgun ownership under section 624.713, subdivision 1, clause (b), is guilty of a felony.*

Subd. 12. [LOCAL REGULATION SUPERSEDED.] *This section shall be construed to supersede municipal or county regulation of the issuance of (TRANSFEREE PERMITS) licenses to purchase handguns.*

Sec. 7. Minnesota Statutes 1982, section 624.714, is amended to read:

624.714 [CARRYING OF WEAPONS WITHOUT (PERMIT) LICENSE; PENALTIES.]

Subdivision 1. [PENALTY.] *A person, other than a law enforcement officer who has authority to make arrests other than citizens arrests, who carries, holds or possesses a (PISTOL) handgun or weapon in a motor vehicle, snowmobile or boat, or on or about his clothes or person, or otherwise in his possession or control (IN A PUBLIC PLACE OR PUBLIC AREA) without first having obtained a (PERMIT) license to carry the (PISTOL) handgun or weapon is guilty of a gross misdemeanor and the offense shall be cited as carrying a handgun without a license or carrying a weapon without a license, as appropriate. (A PERSON WHO HAS BEEN ISSUED A PERMIT AND WHO ENGAGES IN ACTIVITIES OTHER THAN THOSE FOR WHICH THE PERMIT HAS BEEN ISSUED, IS GUILTY OF A MISDEMEANOR.)*

Subd. 2. [WHERE APPLICATION MADE.] *Applications for (PERMITS) licenses to carry handguns shall be made to the chief of police of an organized full-time police department of the municipality where the applicant resides or to the county sheriff where there is no such local chief of police where the applicant*

resides. At the time of application, the local police authority shall provide the applicant with a dated receipt for the application.

Subd. 3. [CONTENTS.] Applications for (PERMITS) *licenses* to carry *handguns* shall set forth the name, residence, date of birth, height, weight, color of eyes and hair, sex, and distinguishing physical characteristics, if any, of the applicant. The application shall be signed by the applicant. *An applicant who was formerly under the disabilities of section 624.713, subdivision 1, clause (b), (c), (d), or (e) shall include a signed waiver authorizing necessary investigation.*

Subd. 4. [INVESTIGATION.] The application authority shall check criminal records, histories, and warrant information on each applicant through the Minnesota Crime Information System, *but shall not be required to conduct additional investigation.*

Subd. 5. [GRANTING OF (PERMITS) *LICENSES*.] No (PERMIT) *license* to carry *handguns* shall be granted to a person unless the applicant:

(a) Is not a person prohibited by section 624.713 from possessing a (PISTOL) *handgun*;

(b) Provides a firearms safety certificate recognized by the department of natural resources, evidence of successful completion of a test of *basic* ability to use a firearm supervised by the chief of police or sheriff or other satisfactory (PROOF) *evidence* of ability to use a (PISTOL) *handgun* safely (; AND)

((C) HAS AN OCCUPATION OR PERSONAL SAFETY HAZARD REQUIRING A PERMIT TO CARRY).

Subd. 6. [FAILURE TO GRANT (PERMITS) *LICENSES*.] Failure of the chief police officer or the county sheriff to deny the application or issue a (PERMIT) *license* to carry a (PISTOL) *handgun* or *weapon* within 21 days of the date of application shall be deemed to be a grant thereof. The local police authority shall provide an applicant with written notification of a denial and the specific reason for the denial. The (PERMITS) *licenses* and their renewal shall be granted free of charge. (THE PERMIT SHALL SPECIFY THE ACTIVITIES FOR WHICH IT SHALL BE VALID.) *The identity and addresses of license holders shall not be public information.*

Subd. 7. [RENEWAL.] (PERMITS) *Licenses* to carry a (PISTOL) *handgun* or *weapon* issued pursuant to this section shall expire after (ONE YEAR) *three years* and shall thereafter be renewed in the same manner and subject to the same provisions by which the original (PERMIT) *license* was obtained.

Subd. 8. [(PERMIT) LICENSE TO CARRY VOIDED.] The (PERMIT) *license* to carry shall be void at the time that the holder becomes prohibited from possessing a (PISTOL) *handgun* under section 624.713, in which event the holder shall return the (PERMIT) *license* within five days to the application authority. Failure of the holder to return the (PERMIT) *license* within the five days is a gross misdemeanor unless the court finds that the circumstances or the physical or mental condition of the (PERMIT) *license* holder prevented the holder from complying with the return requirement.

Subd. 9. [CARRYING (PISTOLS) HANDGUNS OR WEAPONS ABOUT ONE'S PREMISES OR FOR PURPOSES OF REPAIR, TARGET PRACTICE.] A (PERMIT) *license* to carry *handguns* is not required of a person:

(a) To keep or carry about his place of business, dwelling house, premises or on land possessed by him a (PISTOL) *handgun or other weapon*;

(b) To carry a (PISTOL) *handgun or other weapon* from a place of purchase to his dwelling house or place of business, or from his dwelling house or place of business to or from a place where repairing is done, to have the (PISTOL) *handgun or other weapon* repaired;

(c) To carry a (PISTOL) *handgun or other weapon* between his dwelling house and his place of business;

(d) To carry a (PISTOL) *handgun or other weapon* in the woods or fields or upon the waters of this state or on land possessed by others for the purpose of hunting or of (TARGET SHOOTING IN A SAFE AREA) *other lawful use*; or

(e) To transport a (PISTOL) *handgun or other weapon* in a motor vehicle, snowmobile or boat if the (PISTOL) *handgun or other weapon* is unloaded, contained in a closed and fastened case, gunbox, or securely tied package and no subordinate jurisdiction may make any ordinance, regulation, or rule requiring an outside label or lettering indicating the contents or limiting the articles which may be carried in the case or upon the bearer while transporting the case. In transport a holster shall be considered to be a case if the holster is not worn upon the person.

Subd. 10. [FALSE REPRESENTATIONS.] A person who gives or causes to be given any false information in applying for a permit to carry, knowing or having reason to know the information is false, is guilty of a (GROSS) misdemeanor. When a false representation is given under section 624.713, subdivision 1, clause (b) or (d), the person giving the false information is guilty of a felony.

Subd. 11. [NO LIMIT ON NUMBER OF (PISTOLS) HANDGUNS.] A person shall not be restricted as to the number or description of (PISTOLS) *handguns* or other lawful weapons he may carry.

Subd. 12. [HEARING UPON DENIAL.] Any person aggrieved by denial of a (PERMIT) *license* to carry a *handgun* or other weapon may appeal the denial to the county court having jurisdiction over the county or municipality wherein the notification or denial occurred. The matter shall be heard de novo, without a jury, *except at the option of the person aggrieved.*

Subd. 13. [EXEMPTIONS, PRISON GUARDS.] A (PERMIT) *license* to carry a (PISTOL) *handgun* is not required of a guard at a state adult correctional institution when on guard duty or otherwise engaged in an assigned duty.

Sec. 8. Minnesota Statutes 1982, section 624.715, is amended to read:

624.715 [EXEMPTIONS; ANTIQUES AND ORNAMENTS.]

Sections 624.713 and 624.714 shall not apply to antique firearms or replicas which are carried or possessed as curiosities or for their historical significance or value.

Sec. 9. Minnesota Statutes 1982, section 624.717, is amended to read:

624.717 [LOCAL REGULATION.]

Sections 624.711 to 624.716 shall be construed to supersede municipal or county regulation of the carrying or possessing of (PISTOLS AND THE REGULATION OF SATURDAY NIGHT SPECIAL PISTOLS EXCEPT MORE RESTRICTIVE REGULATION IN CITIES OF THE FIRST CLASS) *handguns* or other weapons.

Sec. 10. [624.7133] [NONDISCRIMINATION.]

No person shall be denied a license to carry a handgun or weapon or a license to purchase a handgun because of race, sex, age except as a minor, or religious beliefs.

Sec. 11. [624.7191] [LIMITATIONS ON LEGISLATION IN SUBORDINATE JURISDICTIONS.]

The legislature declares that it is occupying the whole field of regulation of the acquisition, ownership, possession, storage,

and transportation of firearms and their component parts and ammunition or its component parts. Any existing local ordinances, rules, or regulations covering this subject matter are declared to be void.

Sec. 12. Minnesota Statutes 1982, section 629.361, is amended to read:

629.361 [(RESTORATION) DISPOSITION OF STOLEN AND CONFISCATED PROPERTY; DUTY OF OFFICERS.]

Subdivision 1. [RESTORATION OF STOLEN PROPERTY; DUTY OF OFFICERS.] The officer arresting any person charged as principal or accessory in any robbery, aggravated robbery, or theft shall use reasonable diligence to secure the property alleged to have been stolen, and after seizure shall be answerable therefor while it remains in his hands, and shall annex a schedule thereof to his return of the warrant. When the county attorney shall require such property for use as evidence upon the examination or trial, such officer, upon his demand, shall deliver it to him and take his receipt therefor, after which such county attorney shall be responsible for the same. Upon conviction of the offender, whoever shall hold such property shall turn it over to the owner.

Subd. 2. [DISPOSITION OF STOLEN OR CONFISCATED FIREARMS OR EDGED WEAPONS.] Each jurisdiction shall attempt to trace ownership of stolen or confiscated firearms through the National Crime Information Center or its successor and through the Minnesota Criminal Justice Information System or its successor. Stolen firearms or edged weapons shall be returned to their lawful possessors. In the absence of evidence to the contrary, immediate possession prior to the reported theft shall be treated as legal possession. Except as follows, unclaimed stolen firearms and other confiscated firearms and edged weapons shall be sold at public auction once a year by subordinate jurisdictions. The exceptions shall be:

(a) firearms which have been recovered or confiscated within one year or needed as evidence in a current or future trial;

(b) firearms actively used in the commission of felonies by their owners or with the consent of their owners as established by a court of competent jurisdiction;

(c) firearms falling under section 609.67, except that machine guns shall be transferred to the bureau of criminal apprehension 60 days after written notification of the Minnesota historical society, which shall have the option of acquiring the machine guns without charge; or

(d) firearms from which serial numbers are obliterated in violation of federal law.

No subordinate jurisdiction may damage any firearm or edged weapon suitable for auction or transfer as provided in this subdivision, nor may any firearm be transferred to a second subordinate jurisdiction or party to damage. Subordinate jurisdictions may limit the buyers of handguns and edged weapons at auction to federally licensed dealers and federally licensed collectors. Firearms auctioned under this section are sold in "as is" condition and no product liability shall attach. Public notice of auctions shall be made two weeks or more prior to the auctions. The proceeds of auctions shall be used for purposes as the subordinate jurisdictions shall designate. Firearms and edged weapons falling under clause (b) shall be forwarded to the bureau of criminal apprehension in a manner specified by its superintendent except that the subordinate jurisdiction may retain certain firearms or edged weapons for training or display.

Subd. 3. [CONSTRUCTION.] This section shall be construed to apply to disposition of stolen and confiscated firearms and shall not be construed to govern the disposition of firearms which are not alleged to have been stolen and are in the temporary custody of a law enforcement agency."

Page 2, after line 3, insert:

"Sec. 14. [REPEALER.]

Minnesota Statutes 1982, sections 624.7132; 624.716; and 624.718, are repealed."

Page 2, line 5, delete "to 3" and insert ", 2 and 13"

Page 2, after line 6, insert "Sections 3 to 12 and 14 are effective August 1, 1983."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the first semicolon, insert "regulating the possession and use of handguns; specifying property rights of certain persons in handguns; prohibiting possession of firearms by certain felons; abolishing transferee permits; providing for licenses to purchase handguns; prohibiting transfer of handguns to unknown persons; requiring licenses to carry handguns; limiting legislation in subordinate jurisdictions; providing for disposition of stolen and confiscated firearms and edged weapons; prohibiting discrimination in the issuance of licenses to purchase a handgun or licenses to carry a handgun or weapon;"

Page 1, line 4, delete "section" and insert "sections"

Page 1, line 4, after "609.224;" insert "609.66; 624.712; 624.713; 624.7131; 624.714; 624.715; 624.717; and 629.361;"

Page 1, line 5, delete "chapter 609" and insert "chapters 609 and 624; repealing Minnesota Statutes 1982, sections 624.7132; 624.716; and 624.718"

Hoberg moved that S. F. No. 752 be temporarily laid over on Special Orders. The motion prevailed.

H. F. No. 782 was reported to the House.

Vanasek moved to amend H. F. No. 782, the first engrossment, as follows:

Page 6, line 26, after "Sections" insert "1,"

Page 6, line 27, delete "1 and"

The motion prevailed and the amendment was adopted.

Begich moved to amend H. F. No. 782, the first engrossment, as amended, as follows:

Page 4, line 15, after "shall," insert "except for violations of section 624.714, subdivision 1,"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 68 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Findlay	Kvam	Onnen	Stadum
Battaglia	Fjoslien	Levi	Pauly	Sviggum
Beard	Gruenes	Ludeman	Piepho	Swanson
Begich	Gutknecht	Mann	Quist	Thiede
Bennett	Halberg	Marsh	Redalen	Uphus
Blatz	Haukoos	McDonald	Reif	Valan
Brinkman	Heap	McEachern	Rose	Valento
Burger	Heinitz	Metzen	St. Onge	Waltman
Dempsey	Himle	Munger	Sarna	Welker
DenOuden	Hoberg	Nelson, D.	Schafer	Wenzel
Dimler	Jacobs	Neuenschwander	Scheid	Wigley
Elioff	Jennings	O'Connor	Shaver	Zaffke
Erickson	Johnson	Ogren	Solberg	
Evans	Krueger	Omann	Sparby	

Those who voted in the negative were:

Anderson, G.	Clark, J.	Coleman	Greenfield	Knickerbocker
Bergstrom	Clark, K.	Eken	Hoffman	Knuth
Brandl	Clawson	Forsythe	Jensen	Kostohryz
Carlson, L.	Cohen	Graba	Kahn	Larsen

Long	Otis	Rodriguez, C.	Skoglund	Welch
McKasy	Peterson	Schoenfeld	Tomlinson	Welle
Nelson, K.	Piper	Seaberg	Tunheim	Wynia
Norton	Price	Segal	Vanasek	Speaker Sieben
Olsen	Rice	Shea	Vellenga	
Osthoff	Rodosovich	Simoneau	Voss	

The motion prevailed and the amendment was adopted.

H. F. No. 782, A bill for an act relating to courts; providing for increases in maximum authorized fines for crimes and petty misdemeanors; increasing the value of stolen property necessary for felony theft; increasing the maximum government tort liability limits; amending Minnesota Statutes 1982, sections 3.736, subdivision 4; 466.04, subdivisions 1 and 3; 609.02, subdivisions 3, 4, and 4a; 609.03; and 609.52, subdivision 3; proposing new law coded in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1982, sections 609.031 and 609.032.

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

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Findlay	Larsen	Piepho	Stadum
Anderson, R.	Fjoslien	Levi	Piper	Sviggum
Battaglia	Forsythe	Long	Price	Swanson
Beard	Graba	Ludeman	Quinn	Thiede
Begich	Gruenes	Mann	Quist	Tomliason
Bennett	Gustafson	Marsh	Redalen	Tunheim
Bergstrom	Gutknecht	McDonald	Reif	Uphus
Berkelman	Halberg	McEachern	Rice	Valan
Blatz	Haukoos	McKasy	Riveness	Valento
Brandl	Heap	Metzen	Rodosovich	Vanasek
Brinkman	Heimitz	Minne	Rodriguez, C.	Vellenga
Burger	Himle	Munger	Rodriguez, F.	Voss
Carlson, L.	Hoberg	Nelson, D.	Rose	Waltman
Clark, J.	Hoffman	Nelson, K.	St. Onge	Welch
Clark, K.	Hokr	Neuenschwander	Sarna	Welker
Clawson	Jacobs	Norton	Schafer	Welle
Cohen	Jennings	O'Connor	Scheid	Wenzel
Coleman	Jensen	Ogren	Schoenfeld	Wigley
Dempsey	Johnson	Olsen	Seaberg	Wynia
DenOuden	Kelly	Omman	Shaver	Zaffke
Dimler	Knickerbocker	Onnen	Shea	Speaker Sieben
Eken	Knuth	Osthoff	Simoneau	
Ellingson	Kostohryz	Otis	Skoglund	
Erickson	Krueger	Pauly	Solberg	
Evans	Kvam	Peterson	Sparby	

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

H. F. No. 855, A bill for an act relating to contracts; prohibiting the enforcement of indemnification agreements in construction contracts; proposing new law coded as Minnesota Statutes, chapter 337.

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

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

Those who voted in the affirmative were:

Anderson, B.	Erickson	Kostohryz	Otis	Skoglund
Anderson, G.	Evans	Krueger	Pauly	Solberg
Anderson, R.	Findlay	Kvam	Peterson	Sparby
Battaglia	Fjoslien	Larsen	Piepho	Stadum
Beard	Forsythe	Levi	Piper	Staten
Begich	Graba	Long	Price	Sviggum
Bennett	Greenfield	Ludeman	Quinn	Swanson
Bergstrom	Gruenes	Mann	Quist	Thiede
Berkelman	Gustafson	Marsh	Redalen	Tomlinson
Bishop	Gutknecht	McDonald	Reif	Tunheim
Blatz	Halberg	McEachern	Rice	Uphus
Brandl	Haukoos	McKasy	Riveness	Valan
Brinkman	Heap	Metzen	Rodosovich	Valento
Burger	Heinitz	Minne	Rodriguez, C.	Vanasek
Carlson, L.	Himle	Munger	Rodriguez, F.	Vellenga
Clark, J.	Hoberg	Murphy	Rose	Voss
Clark, K.	Hoffman	Nelson, D.	St. Onge	Waltman
Clawson	Hokr	Nelson, K.	Sarna	Welch
Cohen	Jacobs	Neuenschwander	Schafer	Welker
Coleman	Jennings	Norton	Scheid	Welle
Dempsey	Jensen	O'Connor	Schoenfeld	Wenzel
DenOuden	Johnson	Ogren	Seaberg	Wigley
Dimler	Kahn	Olsen	Segal	Wynia
Eken	Kelly	Omann	Shaver	Zaffke
Elioff	Knickerbocker	Onnen	Shea	Speaker Sieben
Ellingson	Knuth	Osthoff	Simoneau	

The bill was passed and its title agreed to.

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 Pro Tem.

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 Special Orders to be added to Special Orders pending for today, May 10, 1983:

H. F. Nos. 1029, 1172, 722, 253, 1106, 1190, 1236, 559, 875, 1149 and 1224; and S. F. Nos. 1168, 160, 1152, 812, 923, 1165 and 989.

SPECIAL ORDERS, Continued

H. F. No. 1029 was reported to the House.

Anderson, G., moved to amend H. F. No. 1029, the first engrossment, as follows:

Page 12, line 16, delete "7,000" and insert "5,000"

The motion prevailed and the amendment was adopted.

Shea moved to amend H. F. No. 1029, the first engrossment, as amended, as follows:

Page 9, line 31, strike "every" and insert "a"

Page 9, line 31, after the comma insert "*except a bus registered in Minnesota*"

The motion prevailed and the amendment was adopted.

Jensen moved to amend H. F. No. 1029, the first engrossment, as amended, as follows:

Page 9, line 15 to page 10, line 26, delete Section 9 from the bill and insert:

"Sec. 9. Minnesota Statutes 1982, section 169.85, is amended to read:

169.85 [WEIGHING; PENALTY.]

The driver of (ANY) a vehicle which has been lawfully stopped may be required by a peace officer to submit the vehicle and load to a weighing by means of portable or stationary scales, and the peace officer may require that the vehicle be driven to the nearest available scales (IN THE EVENT THE SCALES ARE WITHIN) *if the distance to the scales is no further than five miles, or if the distance from the point where the vehicle is stopped to the vehicle's destination is not increased by more than ten miles as a result of proceeding to the nearest available scales.* Official traffic control devices as authorized by section 169.06 may be used to direct the driver to the nearest scale. When (ANY) a truck weight enforcement operation is conducted by means of portable or stationary scales and signs giving notice of the operation are posted within the highway right-of-way and adjacent to the roadway within two miles of the operation, the driver of (EVERY) a truck or combination of vehicles registered for or weighing in excess of 12,000 pounds, and the driver of (EVERY)

a charter bus, *except a bus registered in Minnesota*, shall proceed to the scale site and submit the vehicle to weighing and inspection.

Upon weighing a vehicle and load, as provided in this section, an officer may require the driver to stop the vehicle in a suitable place and remain standing until a portion of the load is removed that is sufficient to reduce the gross weight of the vehicle to the limit permitted under section 169.825. *A suitable place is a location where loading or tampering with the load is not prohibited by federal, state, or local law, rule or ordinance.* A driver may be required to unload a vehicle only if the weighing officer determines that (a) on routes subject to the provisions of section 169.825, the weight on (ANY) *an* axle exceeds the lawful gross weight prescribed by section 169.825, by 2,000 pounds or more, or the weight on (ANY) *a* group of two or more consecutive axles in cases where the distance between the centers of the first and last axles of the group under consideration is ten feet or less exceeds the lawful gross weight prescribed by section 169.825, by 4,000 pounds or more; or (b) on routes designated by the commissioner in section 169.832, subdivision 11, the overall weight of the vehicle or the weight on (ANY) *an* axle or group of consecutive axles exceeds the maximum lawful gross weights prescribed by section 169.825; or (c) the weight is unlawful on (ANY) *an* axle or group of consecutive axles on (ANY) *a* road restricted in accordance with section 169.87. (ALL) Material (SO) unloaded (SHALL) *must* be cared for by the owner or driver of the vehicle at the risk of the owner or driver.

(ANY) A driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing as required in this section, or who fails or refuses, when directed by an officer upon a weighing of the vehicle, to stop the vehicle and otherwise comply with the provisions of this section, is guilty of a misdemeanor."

The motion prevailed and the amendment was adopted.

H. F. No. 1029, A bill for an act relating to transportation; modifying the definition of truck-tractor to include the power unit of automobile carriers; adjusting the motor vehicle registration tax on certain trailers; requiring proof of payment of the federal heavy use tax on heavy trucks; increasing the maximum allowable width on vehicles from 8 to 8-1/2 feet; modifying vehicle length requirements to allow longer semi-trailers and vehicle combinations; modifying the gross weight seasonal increase to include all axle combinations; modifying the distance a peace officer may require a vehicle to travel to a scale; increasing width requirement on loads of baled hay before flashing amber lights are required; amending Minnesota Statutes 1982, sections 168.011, subdivision 12; 168.013, subdivision 1d, and by adding a subdivision; 169.01, subdivision 7; 169.80, subdivision 2; 169.81, subdivisions 2 and 3; 169.825, subdivision 11;

169.85; 169.862; 169.871, subdivision 1; and 169.872, by adding a subdivision; repealing Minnesota Statutes 1982, sections 169.80, subdivision 2a; and 169.81, subdivisions 3a, 3b, and 7.

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 17 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dimler	Knuth	Onnen	Shea
Anderson, G.	Eken	Kostohryz	Otis	Simoneau
Anderson, R.	Elioff	Kvara	Pauly	Skoglund
Battaglia	Ellingson	Larsen	Peterson	Solberg
Beard	Evans	Levi	Piepho	Sparby
Begich	Forsythe	Ludeman	Piper	Stadum
Bennett	Frerichs	Mann	Price	Swanson
Bergstrom	Gruenes	Marsh	Quinn	Thiede
Berkelman	Gustafson	McDonald	Quist	Tunheim
Bishop	Gutknecht	McEachern	Rice	Valento
Blatz	Halberg	McKasy	Riveness	Vellenga
Brandl	Haukoos	Metzen	Rodosovich	Welch
Brinkman	Heap	Munger	Rodriguez, F.	Weiker
Burger	Heinitz	Murphy	Rose	Welle
Carlson, L.	Himle	Nelson, D.	St. Onge	Wenzel
Clark, J.	Hoberg	Nelson, K.	Sarna	Wigley
Clark, K.	Hoffman	Neuenschwander	Schafer	Zaffke
Clawson	Jacobs	Norton	Scheid	Speaker Sieben
Cohen	Jennings	O'Connor	Schoenfeld	
Coleman	Jensen	Ogren	Seaberg	
Dempsey	Kalis	Olsen	Segal	
DenOuden	Knickerbocker	Omann	Shaver	

Those who voted in the negative were:

Erickson	Johnson	Osthoff	Staten	Waltman
Findlay	Kahn	Redalen	Uphus	
Fjoslien	Krueger	Reif	Vanasek	
Greenfield	Minne	Rodriguez, C.	Voss	

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

H. F. No. 722 was reported to the House.

Jacobs moved that H. F. No. 722 be continued on Special Orders for one day. The motion prevailed.

H. F. No. 253 was reported to the House.

Norton moved that H. F. No. 253 be temporarily laid over on Special Orders. The motion prevailed.

H. F. No. 1106 was reported to the House.

There being no objection, H. F. No. 1106 was temporarily laid over on Special Orders for today.

H. F. No. 1190 was reported to the House.

Riveness moved that H. F. No. 1190 be continued on Special Orders until Thursday, May 12, 1983. The motion prevailed.

H. F. No. 1236 was reported to the House.

Riveness moved that H. F. No. 1236 be continued on Special Orders for one day. The motion prevailed.

H. F. No. 559 was reported to the House.

Schoenfeld moved that H. F. No. 559 be continued on Special Orders for one day. The motion prevailed.

H. F. No. 875, A bill for an act relating to the city of Bloomington; permitting the establishment of special service districts; providing taxing and other financial authority for Bloomington.

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

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Anderson, B.	Findlay	Knuth	Osthoff	Shea
Anderson, G.	Fjoslien	Kostohryz	Otis	Skoglund
Battaglia	Forsythe	Krueger	Pauly	Solberg
Beard	Frerichs	Kvam	Peterson	Sparby
Begich	Graba	Levi	Piepho	Stadum
Bennett	Greenfield	Long	Piper	Staten
Bergstrom	Gruenes	Ludeman	Price	Sviggum
Berkelman	Gustafson	Mann	Quist	Swanson
Bishop	Gutknecht	Marsh	Redalen	Thiede
Blatz	Halberg	McDonald	Reif	Tomlinson
Brandl	Haukoos	McEachern	Rice	Tunheim
Brinkman	Heap	McKasy	Riveness	Uphus
Burger	Heinitz	Metzen	Rodosovich	Valento
Carlson, L.	Himle	Minne	Rodriguez, C.	Vanasek
Clark, K.	Hoberg	Munger	Rodriguez, F.	Velienga
Cohen	Hoffman	Murphy	Rose	Voss
Coleman	Hokr	Nelson, D.	St. Onge	Waltman
Dempsey	Jacobs	Nelson, K.	Sarna	Welch
DenOuden	Jennings	Neuenschwander	Schafer	Welle
Dimler	Jensen	Norton	Scheid	Wenzel
Eken	Johnson	O'Connor	Schoenfeld	Wigley
Elioff	Kahn	Ogren	Schreiber	Wynia
Ellingson	Kalis	Olsen	Seaberg	Zaffke
Erickson	Kelly	Omman	Segal	Speaker Sieben
Evans	Knickerbocker	Onnen	Shaver	

Those who voted in the negative were:

Welker

The bill was passed and its title agreed to.

H. F. No. 1149 was reported to the House.

Clawson moved that H. F. No. 1149 be temporarily laid over on Special Orders. The motion prevailed.

H. F. No. 1224 was reported to the House.

Ogren moved to amend H. F. No. 1224, the first engrossment, as follows:

Page 2, line 17, delete "30" and insert "60"

The motion prevailed and the amendment was adopted.

H. F. No. 1224, A bill for an act relating to occupations and professions; regulating the period of time between professional boxing contests, matches, or exhibitions; amending Minnesota Statutes 1982, section 341.115; proposing new law coded in Minnesota Statutes, chapter 341.

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

The question was taken on the passage of the bill and the roll was called. There were 89 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Evans	Larsen	Peterson	Stadum
Battaglia	Findlay	Levi	Piepho	Sviggum
Beard	Fjoslien	Ludeman	Price	Swanson
Begich	Frerichs	Mann	Quinn	Thiede
Bennett	Gruenes	Marsh	Quist	Tomlinson
Bergstrom	Gutknecht	McDonald	Reif	Uphus
Berkelman	Halberg	McEachern	Riveness	Valan
Bishop	Heinitz	McKasy	Rodriguez, F.	Valent
Blatz	Himie	Metzen	Rose	Vanasek
Brinkman	Hoberg	Munger	St. Onge	Vellenga
Burger	Hoffman	Murphy	Sarna	Voss
Carlson, L.	Jacobs	Neuenschwander	Schafer	Waltman
Clawson	Jensen	O'Connor	Scheid	Welch
Dempsey	Kalis	Ogren	Schoenfeld	Welker
DenOuden	Kelly	Olsen	Schreiber	Wenzel
Dimler	Knickerbocker	Omann	Seaberg	Zaffke
Eken	Kostohryz	Onnen	Shaver	Speaker Sieben
Elioff	Kvam	Osthoff	Solberg	

Those who voted in the negative were:

Anderson, B.	Graba	Knuth	Rice	Staten
Brandl	Greenfield	Krueger	Rodriguez, C.	Tunheim
Clark, J.	Gustafson	Minne	Segal	Welle
Clark, K.	Haukoos	Nelson, D.	Shea	Wigley
Cohen	Jennings	Nelson, K.	Simoneau	Wynia
Ellingson	Johnson	Norton	Skoglund	
Erickson	Kahn	Redalen	Sparby	

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

S. F. No. 1168, A bill for an act relating to insurance; covered claims under the insurance guaranty act; rulemaking power of commissioner on nonrenewal of auto insurance and self-insurance; application fee for self-insurers; commissioner to adopt rules on nonrenewals of policies; amending Minnesota Statutes 1982, sections 60C.09, subdivision 1; 65B.17; and 65B.48, subdivision 3, and by adding a subdivision.

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

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

Those who voted in the affirmative were:

Anderson, B.	Fjoslien	Krueger	Pauly	Skoglund
Anderson, G.	Forsythe	Kvam	Peterson	Solberg
Battaglia	Frerichs	Larsen	Piepho	Sparby
Beard	Graba	Levi	Piper	Stadum
Begich	Greenfield	Long	Price	Staten
Bennett	Gruenes	Ludeman	Quinn	Sviggum
Bergstrom	Gustafson	Mann	Quist	Swanson
Berkelman	Gutknecht	Marsh	Redalen	Thiede
Bishop	Halberg	McDonald	Reif	Tomlinson
Blatz	Haukoos	McEachern	Rice	Tunheim
Brandl	Heap	McKasy	Riveness	Uphus
Brinkman	Heinitz	Metzen	Rodosovich	Valan
Burger	Himle	Minne	Rodriguez, C.	Valento
Carlson, L.	Hoberg	Munger	Rodriguez, F.	Vanasek
Clark, J.	Hoffman	Murphy	Rose	Vellenga
Clark, K.	Hokr	Nelson, D.	St. Onge	Voss
Cohen	Jacobs	Nelson, K.	Sarna	Waltman
Coleman	Jennings	Neuenschwander	Schafer	Welch
DenOuden	Jensen	Norton	Scheid	Welker
Dimler	Johnson	O'Connor	Schoenfeld	Welle
Eken	Kahn	Ogren	Schreiber	Wenzel
Elioff	Kalis	Olsen	Seaberg	Wigley
Ellingson	Kelly	Omann	Segal	Wynia
Erickson	Knickerbocker	Onnen	Shaver	Zaffke
Evans	Knuth	Oshoff	Shea	Speaker Sieben
Findlay	Kostohryz	Otis	Simoneau	

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Rice requested immediate consideration of H. F. No. 77.

H. F. No. 77 was reported to the House.

Kostohryz moved to amend H. F. No. 77, the third engrossment, as follows:

Page 2, line 30, delete "*three are for terms*" and insert "*one is for a term*"

Page 2, line 30, delete the second "*three*" and insert "*two*"

Page 2, line 31, delete "*three*" and insert "*two*"

The motion prevailed and the amendment was adopted.

Knickerbocker moved to amend H. F. No. 77, the third engrossment, as amended, as follows:

Page 2, line 25, delete "*five*" and insert "*nine*"

Page 2, line 27, after the period, insert "*At least one member shall be from each congressional district.*"

Page 2, line 27, delete "*three*" and insert "*five*"

Further delete the Kostohryz amendment

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 73 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Findlay	Knuth	Omann	Shea
Anderson, G.	Fjoslien	Krueger	Osthoff	Skoglund
Battaglia	Forsythe	Larsen	Otis	Solberg
Begich	Graba	Marsh	Peterson	Staten
Bergstrom	Greenfield	McDonald	Quinn	Swanson
Bishop	Gruenes	Minne	Quist	Thiede
Brandl	Gustafson	Munger	Rivness	Tunheim
Brinkman	Gutknecht	Murphy	Rodosovich	Voss
Burger	Halberg	Nelson, D.	Rose	Waltman
Clark, K.	Heap	Nelson, K.	St. Onge	Welch
Clawson	Heinitz	Neuenschwander	Sarna	Wenzel
Coleman	Hoberg	Norton	Scheid	Wynia
Dimler	Jacobs	O'Connor	Schoenfeld	Zaffke
Ellingson	Kelly	Ogren	Schreiber	
Erickson	Knickerbocker	Olsen	Shaver	

Those who voted in the negative were :

Anderson, R.	Frerichs	Kvam	Price	Sviggum
Beard	Haukoos	Levi	Redalen	Tomlinson
Bennett	Himle	Long	Reif	Uphus
Berkelman	Hoffman	Ludeman	Rice	Valan
Blatz	Hokr	McEachern	Rodriguez, C.	Valento
Carlson, L.	Jennings	McKasy	Rodriguez, F.	Vanasek
Clark, J.	Jensen	Metzen	Schafer	Vellenga
Cohen	Johnson	Onnen	Seaberg	Welker
DenOuden	Kahn	Pauly	Segal	Welle
Elioff	Kalis	Piepho	Sparby	Wigley
Evans	Kostohryz	Piper	Stadum	Speaker Sieben

The motion prevailed and the amendment was adopted.

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

Redalen, Jensen and Blatz moved to amend H. F. No. 77, the third engrossment, as amended, as follows :

Pages 29 and 30, delete section 34

Renumber the remaining sections accordingly

Page 31, line 10, delete "35" and insert "34"

Amend the title as follows :

Page 1, line 9, delete everything after the semicolon

Page 1, delete line 10

Page 1, line 11, delete "circumstances;"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 63 yeas and 63 nays as follows :

Those who voted in the affirmative were :

Anderson, G.	Gustafson	Levi	Pauly	Shaver
Anderson, R.	Gutknecht	Ludeman	Piepho	Sparby
Bennett	Heap	Mann	Piper	Sviggum
Berkelman	Heinitz	McDonald	Price	Tomlinson
Blatz	Himle	McEachern	Redalen	Uphus
Brinkman	Hoberg	McKasy	Reif	Valento
Burger	Hoffman	Metzen	Rodriguez, F.	Vanasek
Clark, J.	Hokr	Minne	Rose	Waltman
Dempsey	Jacobs	O'Connor	St. Onge	Welker
Eken	Jennings	Ogren	Sarna	Welle
Evans	Jensen	Omann	Schafer	Wigley
Frerichs	Johnson	Onnen	Schreiber	
Gruenes	Kostohryz	Osthoff	Seaberg	

Those who voted in the negative were:

Anderson, B.	Elioff	Knickerbocker	Quinn	Staten
Battaglia	Ellingson	Knuth	Quist	Swanson
Beard	Erickson	Krueger	Rice	Thiede
Begich	Findlay	Kvam	Riveness	Tunheim
Bergstrom	Fjoslien	Larsen	Rodosovich	Valan
Bishop	Forsythe	Long	Rodriguez, C.	Vellenga
Brandl	Graba	Marsh	Scheid	Voss
Carlson, D.	Greenfield	Munger	Schoenfeld	Welch
Carlson, L.	Halberg	Murphy	Segal	Wenzel
Clark, K.	Haukoos	Nelson, D.	Shea	Wynia
Cohen	Kahn	Nelson, K.	Skoglund	Zaffke
Coleman	Kalis	Oris	Solberg	
DenOuden	Kelly	Peterson	Stadum	

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

The Speaker resumed the Chair.

Schreiber moved to amend H. F. No. 77, the third engrossment, as amended, as follows:

Page 28, delete lines 14 to 27

Re-number the remaining sections

Amend the title as follows:

Page 1, line 12, delete "273.76, by adding a"

Page 1, line 13, delete "subdivision"

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

MOTION FOR RECONSIDERATION

Halberg moved that the vote whereby the Redalen, Jensen and Blatz amendment to H. F. No. 77 was not adopted be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Halberg motion to reconsider and the roll was called. There were 70 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Blatz	Carlson, D.	Eken	Gruenes
Bennett	Brinkman	Dempsey	Evans	Gustafson
Berkelman	Burger	Dimler	Frerichs	Gutknecht

Halberg	Johnson	Minne	Redalen	Stadum
Haukoos	Kelly	O'Connor	Reif	Sviggum
Heap	Kostohryz	Ogren	Rodriguez, F.	Tomlinson
Heinitz	Kvam	Olsen	Rose	Uphus
Himle	Levi	Omann	St. Onge	Valento
Hoberg	Ludeman	Osthoff	Sarna	Vanasek
Hoffman	Mann	Pauly	Schafer	Waltman
Hokr	McDonald	Piepho	Schreiber	Welker
Jacobs	McEachern	Piper	Seaberg	Weile
Jennings	McKasy	Price	Shaver	Wigley
Jensen	Metzen	Quinn	Sparby	Speaker Sieben

Those who voted in the negative were:

Anderson, B.	Cohen	Kalis	Otis	Solberg
Anderson, G.	Coleman	Knickerbocker	Peterson	Staten
Battaglia	DenOuden	Knuth	Quist	Swanson
Beard	Elioff	Krueger	Rice	Thiede
Begich	Ellingson	Larsen	Riveness	Tunheim
Bergstrom	Erickson	Long	Rodosovich	Valan
Bishop	Findlay	Marsh	Rodriguez, C.	Vellenga
Brandl	Fjoslien	Munger	Scheid	Voss
Carlson, L.	Forsythe	Murphy	Schoenfeld	Welch
Clark, J.	Graba	Nelson, D.	Segal	Wenzel
Clark, K.	Greenfield	Nelson, K.	Shea	Wynia
Clawson	Kahn	Norton	Skoglund	Zaffke

The motion prevailed.

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

The Redalen, Jensen and Blatz amendment was reported to the House.

Redalen, Jensen and Blatz moved to amend H. F. No. 77, the third engrossment, as amended, as follows:

Pages 29 and 30, delete section 34

Renumber the remaining sections accordingly

Page 31, line 10, delete "35" and insert "34"

Amend the title as follows:

Page 1, line 9, delete everything after the semicolon

Page 1, delete line 10

Page 1, line 11, delete "circumstances;"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 67 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Cutknecht	Levi	Piepho	Stadum
Anderson, R.	Halberg	Ludeman	Piper	Sviggun
Bennett	Haukoos	Mann	Price	Tomlinson
Berkelman	Heap	McDonald	Redalen	Uphus
Blatz	Heinitz	McEachern	Reif	Valento
Brinkman	Himle	McKasy	Rodriguez, F.	Vanasek
Burger	Hoberg	Metzen	Rose	Waltman
Dempsey	Hoffman	Minne	St. Onge	Welker
Dimler	Hokr	O'Connor	Sarna	Welle
Eken	Jacobs	Ogren	Schafer	Wigley
Evans	Jennings	Omann	Schreiber	Speaker Sieben
Frerichs	Jensen	Onnen	Seaberg	
Gruenes	Johnson	Osthoff	Shaver	
Gustafson	Kostohryz	Pauly	Sparby	

Those who voted in the negative were:

Anderson, B.	Coleman	Knickerbocker	Peterson	Staten
Battaglia	DenOuden	Knuth	Quinn	Swanson
Beard	Elioff	Krueger	Quist	Thiede
Begich	Ellingson	Larsen	Rice	Tunheim
Bergstrom	Erickson	Long	Riveness	Valan
Bishop	Findlay	Marsh	Rodosovich	Vellenga
Brandl	Fjoslien	Munger	Rodriguez, C.	Voss
Carlson, D.	Forsythe	Murphy	Scheid	Welch
Carlson, L.	Craba	Nelson, D.	Schoenfeld	Wynia
Clark, J.	Greenfield	Nelson, K.	Segal	Zaffke
Clark, K.	Kahn	Norton	Shea	
Clawson	Kalis	Olsen	Skoglund	
Cohen	Kelly	Otis	Solberg	

The motion prevailed and the amendment was adopted.

Burger moved to amend H. F. No. 77, the third engrossment, as amended, as follows:

Page 30, line 31 to page 31, line 8, delete Section 35 from the bill

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 33 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Blatz	Fjoslien	Kvam	Rose	Vellenga
Burger	Forsythe	Ludeman	Schafer	Welker
Carlson, D.	Frerichs	McDonald	Scheid	Wigley
DenOuden	Gruenes	Nelson, K.	Shaver	Wynia
Erickson	Cutknecht	Quist	Stadum	Zaffke
Evans	Haukoos	Rice	Thiede	
Findlay	Heinitz	Rodriguez, C.	Valento	

Those who voted in the negative were:

Anderson, B.	Eken	Kostohryz	Osthoff	Segal
Anderson, G.	Elioff	Krueger	Otis	Solberg
Anderson, R.	Ellingson	Larsen	Pauly	Sparby
Battaglia	Graha	Levi	Peterson	Staten
Beard	Greenfield	Long	Piepho	Swiggum
Begich	Gustafson	Mann	Piper	Swanson
Bennett	Halberg	McEachern	Price	Tomlinson
Bergstrom	Himle	Metzen	Quinn	Tunheim
Berkelman	Hoberg	Minne	Redalen	Uphus
Bishop	Hoffman	Munger	Reif	Vanasek
Brandl	Jacobs	Murphy	Riveness	Voss
Brinkman	Jeanings	Nelson, D.	Rodosovich	Waltman
Carlson, L.	Jensen	Norton	Rodriguez, F.	Welch
Clark, J.	Johnson	O'Connor	St. Onge	Welle
Clark, K.	Kahn	Ogren	Sarna	Speaker Sieben
Clawson	Kalis	Olsen	Schoenfeld	
Cohen	Kelly	Omamm	Schreiber	
Dempsey	Knuth	Onnen	Seaberg	

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

Burger moved to amend H. F. No. 77, the third engrossment, as amended, as follows:

Page 30, line 34, delete "\$247,000" and insert "\$234,650"

Page 30, line 35, delete "\$344,300" and insert "\$326,800"

Page 31, line 3, delete "\$150,000" and insert "\$142,500"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 65 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Bennett	Fjoslien	Jennings	Olsen	Shaver
Bishop	Forsythe	Johnson	Omann	Shea
Blatz	Frerichs	Knickerbocker	Pauly	Skoglund
Burger	Graha	Knuth	Piepho	Stadum
Carlson, D.	Gruenes	Krueger	Quist	Swiggum
Clark, K.	Gutknecht	Kvam	Reif	Thiede
Coleman	Haukoos	Levi	Rodosovich	Uphus
Dempsey	Heap	Ludeman	Rodriguez, C.	Valan
DenOuden	Heinitz	Marsh	Rose	Valento
Dimler	Himle	McDonald	Schafer	Waltman
Erickson	Hoberg	McKasy	Schoenfeld	Welker
Evans	Hoffman	Murphy	Schreiber	Wigley
Findlay	Hokr	Norton	Seaberg	Zaffke

Those who voted in the negative were:

Anderson, B.	Battaglia	Bergstrom	Brinkman	Clawson
Anderson, G.	Beard	Berkelman	Carlson, L.	Cohen
Anderson, R.	Begich	Brandl	Clark, J.	Eken

Elioff	Larsen	Onnen	St. Onge	Vanasek
Ellingson	Long	Osthoff	Sarna	Vellenga
Greenfield	Mann	Otis	Scheid	Voss
Gustafson	McEachern	Peterson	Segal	Welch
Halberg	Metzen	Piper	Simoneau	Welle
Jacobs	Minne	Price	Solberg	Wynia
Jensen	Munger	Quinn	Sparby	Speaker Sieben
Kahn	Nelson, D.	Redalen	Staten	
Kalis	Nelson, K.	Rice	Swanson	
Kelly	O'Connor	Riveness	Tomlinson	
Kostohryz	Ogren	Rodriguez, F.	Tunheim	

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

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

H. F. No. 77, A bill for an an act relating to horse racing; creating a Minnesota racing commission and providing for its membership, powers, and duties; authorizing the licensing of persons to operate racetracks, conduct horse racing, engage in certain occupations, and conduct pari-mutuel betting on horse racing; prescribing taxes and license fees; establishing a Minnesota breeders fund; providing penalties; appropriating money; amending Minnesota Statutes 1982, sections 38.04; 273.76, by adding a subdivision; 609.75, subdivision 3; and 609.761; proposing new law coded as Minnesota Statutes, chapter 240.

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 92 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Evans	Kalis	Omann	Segal
Anderson, R.	Findlay	Kelly	Osthoff	Shaver
Battaglia	Fjoslien	Knickerbocker	Pauly	Shea
Beard	Greenfield	Knuth	Peterson	Simoneau
Begich	Gustafson	Kostohryz	Piepho	Solberg
Bennett	Gutknecht	Krueger	Piper	Sparby
Bergstrom	Halberg	Larsen	Price	Staten
Berkelman	Haukoos	Levi	Quinn	Swiggum
Blatz	Heap	Mann	Redalen	Tomlinson
Brinkman	Heinitz	McEachern	Reif	Tunheim
Carlson, D.	Himle	McKasy	Riveness	Vanasek
Carlson, L.	Hoberg	Metzen	Rodosovich	Voss
Clark, J.	Hoffman	Minne	Rodriguez, F.	Waltman
Cohen	Hokr	Murphy	Rose	Welch
Coleman	Jacobs	Nelson, D.	St. Onge	Welle
Dempsey	Jennings	Norton	Sarna	Speaker Sieben
Eken	Jensen	O'Connor	Schoenfeld	
Elioff	Johnson	Ogren	Schreiber	
Ellingson	Kahn	Olsen	Seaberg	

Those who voted in the negative were:

Anderson, B.	Frerichs	Munger	Scheid	Vellenga
Bishop	Graba	Nelson, K.	Skoglund	Welker
Brandl	Gruenes	Onnen	Stadum	Wigley
Burger	Kvam	Otis	Swanson	Wynia
Clark, K.	Long	Quist	Thiede	Zaffke
DenOuden	Ludeman	Rice	Uphus	
Erickson	Marsh	Rodriguez, C.	Vajan	
Forsythe	McDonald	Schafer	Valento	

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

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

Rice, for the Committee on Appropriations, introduced:

H. F. No. 1298, A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes with certain conditions; providing appropriations for the departments of public welfare, economic security, corrections, health, sentencing guidelines commission, corrections ombudsman, and health related boards; amending Minnesota Statutes 1982, sections 13.46, subdivision 2; 144.653, subdivision 2; 144A.10, subdivision 2; 145.881; 145.882; 145.921, subdivision 1; 245.62; 245.66; 246.51, subdivision 1; 246.57, by adding a subdivision; 251.011, subdivision 6; 252.24, subdivision 1; 252.28; 256.01, subdivision 2; 256.82, by adding a subdivision; 256.966, subdivision 1; 256.967; 256.968; 256B.02, subdivision 8; 256B.04, subdivision 14, and by adding a subdivision; 256B.041, subdivisions 2 and 5; 256B.-06, subdivision 1; 256B.061; 256B.064, subdivisions 1a and 2; 256B.07; 256B.14, subdivision 2; 256B.17, by adding a subdivision; 256B.19, by adding a subdivision; 256B.27, subdivisions 3 and 4; 256D.01, subdivision 1; 256D.02, subdivision 4, and by adding a subdivision; 256D.03, subdivision 4, and by adding a subdivision; 256D.05, subdivision 1a; 256D.06, subdivision 5; 256D.09, subdivision 2, and by adding a subdivision; 256E.06, subdivision 2, and by adding a subdivision; 401.14, by adding a subdivision; 401.15, subdivision 1; and Laws 1981, chapter 360, section 10; proposing new law coded in Minnesota Statutes, chapters 145; 246; 252; 256; 256B; and 256D; proposing new law coded as Minnesota Statutes, chapter 268A; repealing Minnesota Statutes 1982, sections 256D.02, subdivision 14; 256D.06, subdivision 1a; Laws 1979, chapter 336, section 5; and Laws 1981, chapter 323, section 4.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

H. F. No. 1259, A bill for an act relating to the operation of government in this state; modifying the definition of gross income; adopting federal definitions of itemized deductions; updating the references to the Internal Revenue Code; extending the duration of the temporary income tax surtax and changing its computation; modifying the deduction of federal income taxes; assigning certain gambling winnings by nonresidents to Minnesota; imposing withholding tax on certain gambling winnings and horse racing purses; repealing certain income tax credits for pollution control expenditures; limiting the subtraction for unemployment compensation; providing for timely payment of withholding income taxes; modifying the dependent care credit; providing for certain studies; changing the refund method for the sales tax on electricity used in agricultural production; clarifying the uses of funds from the non-game wildlife check-off; making the six percent sales and use tax rate permanent; increasing the motor vehicle excise tax rate to six percent; modifying the enterprise zone law; providing for state tax incentives in enterprise zones; limiting the number of enterprise zones; reducing the corporate income tax rate; eliminating the deduction for certain income and franchise taxes paid by corporations; changing the deduction for corporate capital gains; providing small business investment credits; providing an additional research credit; modifying the definition of market value; requiring additional information on the certificate of value; mandating that homestead affidavits be filed in all counties; requiring that all contracts for deed be recorded; restricting the use of sales ratio studies as evidence; eliminating the agricultural mill rate credit on farm homes; increasing the agricultural mill rate credit on certain property and providing a maximum credit amount; clarifying the property classification for certain timber property; modifying the wetlands credit; modifying the utility property tax credit; changing certain property tax classification ratios; exempting contracts for deed from the mortgage registry tax and providing penalties for failure to file; exempting cities and towns with populations under 5,000 from levy limitations; modifying the method by which levy limitations are calculated; adding a special levy for certain county purposes; establishing a new homestead credit formula for certain homestead property; modifying the property tax refund formula and increasing

the maximum credit; changing the payment dates for the property tax refund; altering the sales tax on liquor, wine, and beer; changing the excise tax credit on fermented malt beverages; delaying the effective date of the rent capitalization method used in assessing agricultural land; repealing the native prairie credit and reimbursement; repealing the wetlands reimbursement; modifying school district cash flow; establishing school aid payment dates for fiscal year 1985 and thereafter; requiring that property taxes be paid 15 days earlier; altering property tax settlement dates; modifying the local government aids distribution formula for counties, cities, and towns; phasing out attached machinery aids and reduced assessment aids; enacting the multi-state tax compact; changing the definition of basic cost of cigarettes for purposes of the unfair cigarette sales act; appropriating money; amending Minnesota Statutes 1982, sections 116J.42, subdivision 7; 124.2137, subdivision 1; 272.02, subdivision 1; 272.03, subdivision 8; 272.115, subdivision 1; 273.11, subdivision 1; 273.115, subdivisions 1, 2, and 3; 273.13, subdivisions 6, 6a, 7, 8a, 9, 11, 14a, 17, 17b, 17c, 20, and by adding a subdivision; 273.1312, subdivisions 2, 3, 4, and 5; 273.1313, subdivisions 1, 2, 3, and 5; 273.138, by adding a subdivision; 273.139, by adding a subdivision; 275.50, subdivision 2, and by adding subdivisions; 275.51, by adding subdivisions; 275.53, by adding a subdivision; 276.09; 276.10; 276.11; 278.01, subdivisions 1 and 2; 278.03; 278.05, subdivisions 4 and 5; 279.01, subdivision 1; 287.05, subdivision 1; 290.01, subdivisions 19, 20, 20a, as amended, 20b, as amended, and 20f; 290.05, subdivision 6; 290.06, subdivisions 1, 2e, as amended, 11, and 14; 290.067, subdivisions 1 and 2; 290.068, by adding a subdivision; 290.09, subdivisions 1, 2, 3, as amended, 4, 5, 28, and 29; 290.091; 290.14; 290.16, subdivision 4; 290.17, subdivision 2; 290.18, subdivisions 1 and 2; 290.21, subdivisions 1 and 3; 290.23, subdivisions 5; 290.31, subdivisions 2 and 3; 290.39, subdivision 2; 290.431; 290.46; 290.92, subdivisions 2a, 6, and by adding subdivisions; 290A.03, subdivisions 3, 6, 8, 11, 13, as amended, and by adding a subdivision; 290A.04, subdivisions 1, 2, 2a, 2b, and 3; 290A.07, subdivision 2a; 290A.16; 290A.18; 290A.19; 297A.02, as amended; 297A.03, subdivision 2, as amended; 297A.14, as amended; 297A.35, subdivision 3; 297B.02, as amended; 325D.32, subdivision 9; 340.14, subdivision 1; 340.47, subdivision 2; 473F.08, subdivision 7a; 477A.011, subdivisions 6, 7, 10, and by adding subdivisions; 477A.012; 477A.013; 477A.014, subdivision 1; and Laws 1981, First Special Session chapter 1, article II, section 25; and Third Special Session chapter 2, article III, section 22, as amended; proposing new law coded in Minnesota Statutes, chapters 116C; 124; 273; 290; 477A; and 507; repealing Minnesota Statutes 1982, sections 273.116; 273.138, subdivisions 1, 2, 3, 4, 5, and 6; 273.139, subdivisions 1 and 2; 273.42, subdivision 2; 273.425; 275.51, subdivisions 3e and 5; 290.01, subdivisions 23, 27, and 28; 290.032, subdivision 5; 290.06, subdivisions 9 and 9a; 290.077, subdivision 2; 290.08, subdivision 25; 290.09, subdivisions 10, 15, 22, and 27; 290.21, subdivision 3a; 290.501; 290A.07, subdivision 3; 340.986; 352C.07; 477A.011, subdivisions 8 and 9; and Laws 1982, chapter

523, article VII, section 3; and Third Special Session chapter 1, article V, section 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

Tomlinson moved that the House refuse to concur in the Senate amendments to H. F. No. 1259, 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.

SPECIAL ORDERS, Continued

S. F. No. 160 was reported to the House.

There being no objection, S. F. No. 160 was continued on Special Orders for one day.

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

The Speaker called Wynia to the Chair.

S. F. No. 1152, A bill for an act relating to marriage dissolution; clarifying factors to be considered in modifying a child support order; amending Minnesota Statutes 1982, section 518.64, 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. There were 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dempsey	Heinitz	Mann	Peterson
Anderson, G.	DenOuden	Himle	Marsh	Piepho
Anderson, R.	Dimler	Hoberg	McDonald	Piper
Battaglia	Eken	Hoffman	McEachern	Price
Beard	Elioff	Hokr	McKasy	Quinn
Begich	Ellingson	Jacobs	Minne	Quist
Bennett	Erickson	Jennings	Munger	Reif
Bergstrom	Evans	Jensen	Murphy	Rice
Berkelman	Findlay	Johnson	Nelson, D.	Riveness
Bishop	Fjoslien	Kahn	Nelson, K.	Rodosovich
Brandl	Forsythe	Kelly	Norton	Rodriguez, C.
Brinkman	Frerichs	Knickerbocker	O'Connor	Rodriguez, F.
Burger	Graba	Knuth	Ogren	Rose
Carlson, D.	Greenfield	Kostohryz	Olsen	St Onge
Carlson, L.	Gruenes	Krueger	Omamn	Schafer
Clark, J.	Gustafson	Kvam	Onnen	Scheid
Clark, K.	Gutknecht	Levi	Osthoff	Schoenfeld
Cohen	Haukoos	Long	Otis	Schreiber
Coleman	Heap	Ludeman	Pauly	Seaberg

Segal	Solberg	Thiede	Vanasek	Welle
Shaver	Sparby	Tomlinson	Velienga	Wigley
Shea	Staten	Tunheim	Voss	Wynia
Simoneau	Sviggum	Uphus	Waltman	Zaffke
Skoglund	Swanson	Valento	Welch	Speaker Sieben

The bill was passed and its title agreed to.

S. F. No. 812, A bill for an act relating to highway traffic regulations; clarifying certain bumper requirements; restricting the height of bumpers on certain vehicles; amending Minnesota Statutes 1982, section 169.73.

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 1 nay as follows:

Those who voted in the affirmative were:

Anderson, B.	Erickson	Knuth	Pauly	Skoglund
Anderson, G.	Evans	Kostohryz	Peterson	Solberg
Anderson, R.	Findlay	Krueger	Piepho	Sparby
Battaglia	Fjoslien	Kvam	Price	Stadum
Beard	Frerichs	Larsen	Quinn	Staten
Begich	Graba	Levi	Quist	Sviggum
Bennett	Greenfield	Long	Redalen	Swanson
Bergstrom	Gruenes	Ludeman	Reif	Thiede
Berkelman	Gustafson	Mann	Rice	Tunheim
Bishop	Gutknecht	McDonald	Riveness	Uphus
Brandl	Haukoos	Metzen	Rodosovich	Valan
Brinkman	Heap	Minne	Rodriguez, C.	Valento
Burger	Heinitz	Munger	Rodriguez, F.	Vanasek
Carlson, D.	Himle	Murphy	Rose	Vellenga
Carlson, L.	Hoberg	Nelson, D.	St. Onge	Voss
Clark, J.	Hoffman	Nelson, K.	Schafer	Waltman
Clark, K.	Hokr	Norton	Scheid	Welch
Cohen	Jacobs	O'Connor	Schoenfeld	Welker
Coleman	Jensen	Ogren	Schreiber	Welle
Dempsey	Johnson	Olsen	Seaberg	Wigley
Dimler	Kahn	Omann	Segal	Wynia
Eken	Kalis	Onnen	Shaver	Zaffke
Elioff	Kelly	Osthoff	Shea	Speaker Sieben
Ellingson	Knickerbocker	Otis	Simoneau	

Those who voted in the negative were:

DenOuden

The bill was passed and its title agreed to.

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

S. F. No. 923 was reported to the House.

Anderson, B., moved to amend S. F. No. 923, the second engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. [134.49] [PROTECTION OF LIBRARY PROPERTY.]

Subdivision 1. [INJURY TO LIBRARY MATERIALS IN PUBLIC INSTITUTIONS.] A person who intentionally, and without permission from library personnel removes or damages any books, maps, pictures, manuscripts, films, or other property of any public library or library belonging to the state or to any political subdivision is guilty of a petty misdemeanor.

Subd. 2. [WILLFUL DETENTION OF LIBRARY MATERIALS.] A person who willfully detains a book, periodical, pamphlet, film, or other property belonging to any public library, or to a library belonging to the state or any political subdivision, for more than 30 days after notice in writing to return it, given after the expiration of the library's stated loan period for the material, is guilty of a petty misdemeanor. The written notice shall be sent by certified mail to the last known address of the person detaining the material. The notice shall state the type of material borrowed, the title of the material, the author's name, the library from which the material was borrowed, and the date by which the material was to have been returned to the library. The notice shall include a statement indicating that if the material is not returned within 30 days after the written notice the borrower will be in violation of this section.

Subd. 3. [FALSIFICATION OF IDENTIFICATION.]

Any person who willfully provides a false name, address, or other information to library personnel for the purpose of borrowing library materials or of obtaining borrowing privileges, from a public library or library belonging to the state or any political subdivision is guilty of a petty misdemeanor.

Subd. 4. [RESPONSIBILITY FOR PROSECUTION.]

The county attorney for county libraries, and the city attorney for city libraries shall prosecute violations of subdivisions 1 to 3. For regional libraries the county attorney for the county in which the headquarters of the regional public library system is located shall prosecute violations of subdivisions 1 to 3. For all other political subdivisions, either the city attorney or the county attorney shall prosecute violations of subdivisions 1 to 3."

Delete the title and insert:

"A bill for an act relating to libraries; defining misuse of library materials; prescribing a penalty; proposing new law coded in Minnesota Statutes, chapter 134."

The motion prevailed and the amendment was adopted.

Nelson, K., moved to amend S. F. No. 923, the second engrossment, as amended, as follows:

Page 1, after line 6, insert:

“Section 1. Minnesota Statutes 1982, section 466.01, subdivision 1, is amended to read:

Subdivision 1. [MUNICIPALITY.] For the purposes of sections 466.01 to 466.15, “municipality” means any city, whether organized under home rule charter or otherwise, any county, town, public authority, public corporation, special district, school district, however organized, county agricultural society organized pursuant to chapter 38, *public library, regional public library system, multi-county multi-type library system, or other political subdivision.*”

Renumber the remaining sections accordingly.

The motion prevailed and the amendment was adopted.

S. F. No. 923, A bill for an act relating to libraries; prohibiting the theft or damage of library materials; restricting tort liability for public libraries; prescribing a penalty; amending Minnesota Statutes 1982, section 466.01, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 609.

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 55 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Heap	Munger	Rodosovich	Skoglund
Anderson, R.	Heinitz	Murphy	Rodriguez, C.	Solberg
Berkelman	Himle	Nelson, D.	Rodriguez, F.	Stadum
Burger	Hoffman	Nelson, K.	Rose	Sviggum
Dempsey	Jennings	Olsen	Schafer	Tomlinson
Eken	Jensen	Pauly	Schreiber	Tunheim
Ellingson	Kvam	Piepho	Scaberg	Valan
Evans	Larsen	Piper	Segal	Welch
Forsythe	Levi	Quinn	Shaver	Wigley
Frerichs	Long	Redalen	Shea	Wynia
Gutknecht	Ludeman	Reif	Simoneau	Speaker Sieben

Those who voted in the negative were:

Anderson, G.	Begich	Bishop	Carlson, L.	DenOuden
Battaglia	Bennett	Brandl	Clark, K.	Dimler
Beard	Bergstrom	Carlson, D.	Coleman	Elioff

Erickson	Jacobs	McDonald	Otis	Staten
Findlay	Johnson	McEachern	Peterson	Swanson
Fjoslien	Kahn	Metzen	Price	Thiede
Graba	Kalis	Minne	Quist	Uphus
Greenfield	Kelly	Norton	Rice	Valento
Gruenes	Knickerbocker	O'Connor	Riveness	Vellenga
Gustafson	Knuth	Ogren	St. Onge	Voss
Haukoos	Kostohryz	Omann	Sarna	Waltman
Hoberg	Krueger	Onnen	Scheid	Welker
Hokr	Mann	Osthoff	Sparby	Zaffke

The bill, as amended, was not passed.

S. F. No. 1165, A bill for an act relating to motor vehicles; providing for registration, taxation, and special license plates for classic motorcycles; proposing new law coded in Minnesota Statutes, chapter 168.

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

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

Those who voted in the affirmative were:

Anderson, B.	Erickson	Kelly	Osthoff	Simoneau
Anderson, G.	Evans	Knickerbocker	Otis	Skoglund
Anderson, R.	Findlay	Knuth	Pauly	Solberg
Battaglia	Fjoslien	Kostohryz	Peterson	Sparby
Beard	Forsythe	Krueger	Piepho	Stadum
Begich	Frerichs	Kvam	Piper	Staten
Bennett	Graba	Larsen	Price	Sviggum
Bergstrom	Greenfield	Long	Quinn	Swanson
Berkelman	Gruenes	Ludeman	Quist	Thiede
Bishop	Gustafson	Mann	Redalen	Tomlinson
Brandl	Gutknecht	Marsh	Reif	Tunheim
Brinkman	Haukoos	McDonald	Rice	Uphus
Burger	Heap	McEachern	Riveness	Valan
Carlson, D.	Heinitz	Minne	Rodosovich	Valento
Carlson, L.	Himle	Munger	Rodriguez, C.	Vanasek
Clark, J.	Hoberg	Murphy	Rodriguez, F.	Vellenga
Clark, K.	Hoffman	Nelson, D.	Voss	Waltman
Coleman	Hokr	Nelson, K.	St. Onge	Welch
Dempsey	Jacobs	Norton	Sarna	Welle
DenOuden	Jennings	O'Connor	Schafer	Wigley
Dimler	Jensen	Ogren	Scheid	Wynia
Eken	Johnson	Olsen	Schreiber	Zaffke
Elioff	Kahn	Omann	Shaver	Speaker Sieben
Ellingson	Kalis	Onnen		

Those who voted in the negative were:

Seaberg	Shea	Welker
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The bill was passed and its title agreed to.

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

The Speaker resumed the Chair.

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

GENERAL ORDERS

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

MOTIONS AND RESOLUTIONS

Sarna moved that S. F. No. 147, now on Technical General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

Eilingson moved that the name of Olsen be added as an author on H. F. No. 1021. The motion prevailed.

Blatz moved that the name of Himle be added as an author on H. F. No. 875. The motion prevailed.

Rodriguez, C., moved that the name of Marsh be added as an author on H. F. No. 1296. The motion prevailed.

Nelson, K., moved that the name of Clark, K., be added as an author on H. F. No. 1293. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 398:

Clawson, Greenfield and Blatz.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 463:

Cohen, Riveness and Pauly.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 639:

Piper, Voss and Waltman.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 800:

Brandl, Swanson and Blatz.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 892:

Berkelman, Metzen and Kvam.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1259:

Tomlinson, Brandl, Vanasek, Eken and Sieben.

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 1:00 p.m., Wednesday, May 11, 1983. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:00 p.m., Wednesday, May 11, 1983.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

