

STATE OF MINNESOTA

SEVENTY-THIRD SESSION - 1983

FIFTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MAY 19, 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 Pastor Tomas E. Meeks, House Chaplain, Ramsey, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Pauly was excused until 2:15 p.m. Simoneau was excused until 5:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Neuenschwander 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. 625, 788, 857, 1025, 1042, 1089, 1222, 86, 397, 405, 424, 512, 666, 737, 768, 449, 450, 674, 872, 955 and 948 and S. F. Nos. 265, 510, 1041, 1241, 1151, 492, 132 and 784 have been placed in the members' files.

S. F. No. 1241 and H. F. No. 1305, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Berkelman moved that S. F. No. 1241 be substituted for H. F. No. 1305 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1151 and H. F. No. 547, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Vanasek moved that the rules be so far suspended that S. F. No. 1151 be substituted for H. F. No. 547 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1041 and H. F. No. 938, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Anderson, G., moved that the rules be so far suspended that S. F. No. 1041 be substituted for H. F. No. 938 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 510 and H. F. No. 648, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Schoenfeld moved that the rules be so far suspended that S. F. No. 510 be substituted for H. F. No. 648 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Rice from the Committee on Appropriations to which was referred:

H. F. No. 242, A bill for an act relating to labor; providing for occupational safety and health; defining "work environment hazards" and other terms; requiring manufacturers of work environment hazards to provide certain information; requiring employers to provide employees with training concerning work environment hazards; requiring training of people employed as waste haulers; requiring training for hospital employees; giving employees a right to information concerning work environment hazards; giving employees a right to refuse to work with a work environment hazard under certain circumstances; creating a presumption that work environment hazards must be labeled; prohibiting waiver of any employee rights under the state occupational safety and health act; clarifying relation of bargaining agreements to safety laws; providing protection for trade secrets; providing civil and criminal penalties; amending Minnesota Statutes 1982, sections 182.651, by adding subdivisions; 182.653, by adding subdivisions; 182.654, subdivision 7, and by adding subdivisions; 182.655, subdivisions 4, 10, 11, and by adding subdivisions; 182.658; 182.66, subdivision 1; 182.663, subdivision 3; 182.666, by adding a subdivision; and 182.668; proposing new law coded in Minnesota Statutes, chapter 182.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [SHORT TITLE.]

This act shall be known as the "Employee Right to Know Act of 1983."

Sec. 2. Minnesota Statutes 1982, section 182.651, is amended by adding a subdivision to read:

Subd. 14. "Hazardous substance" means a chemical or substance, or mixture of chemicals and substances, which:

(a) is regulated by the federal Occupational Safety and Health Administration under title 29 of the Code of Federal Regulations part 1910, subpart Z; or

(b) is either toxic or highly toxic; an irritant; corrosive; a strong oxidizer; a strong sensitizer; combustible; either flammable or extremely flammable; dangerously reactive; pyrophoric or pressure-generating; compressed gas; carcinogen; teratogen; mutagen; reproductive toxic agent; or that otherwise, according to generally accepted documented medical or scientific evidence,

may cause substantial acute or chronic personal injury or illness during or as a direct result of any customary or reasonably foreseeable accidental or intentional exposure to the chemical or substance; or

(c) is determined by the commissioner as a part of the standard for the chemical or substance or mixture of chemicals and substances to present a significant risk to worker health and safety or imminent danger of death or serious physical harm to an employee as a result of foreseeable use, handling, accidental spill, exposure, or contamination.

In determining whether a chemical or substance is hazardous under clause (b) or clause (c), the commissioner shall, if appropriate, apply the definitions contained in the American National Standard Institute document Z129.1-1982 on the precautionary labeling of hazardous industrial chemicals. In addition the commissioner may consider the information contained in appendices which do not appear in the standard and any other available scientific evidence which substantially indicates a chemical or substance or mixture of chemicals and substances is hazardous.

Hazardous substance does not include a substance being developed or handled by a technically qualified individual in a research, medical research, medical diagnostic or medical educational laboratory, or in a pharmacy registered and licensed under chapter 151.

Sec. 3. Minnesota Statutes 1982, section 182.651, is amended by adding a subdivision to read:

Subd. 15. "Harmful physical agent" means a physical agent determined by the commissioner as a part of the standard for that agent to present a significant risk to worker health or safety or imminent danger of death or serious physical harm to an employee. This definition includes but is not limited to radiation, whether ionizing or non-ionizing.

Harmful physical agent does not include an agent being developed or utilized by a technically qualified individual in a research, medical research, medical diagnostic or medical educational laboratory, or in a pharmacy registered and licensed under chapter 151. The exemption in this clause does not include a physical agent utilized in a laboratory that primarily provides a quality control analysis for a manufacturing process.

Sec. 4. Minnesota Statutes 1982, section 182.651, is amended by adding a subdivision to read:

Subd. 16. "Technically qualified individual" means a person who, because of education, training, or experience, understands the health risks associated with each hazardous substance or

harmful physical agent or mixture handled or utilized by the person or, under the person's supervision, by other technically qualified individuals.

Sec. 5. Minnesota Statutes 1982, section 182.651, is amended by adding a subdivision to read:

Subd. 17. For the purposes of chapter 182, the determination of what is a hazardous substance or harmful physical agent is part of the occupational safety and health standard concerning that substance or agent adopted under section 182.655, subject only to the rulemaking procedure which the whole standard is subject to under section 182.655.

Sec. 6. Minnesota Statutes 1982, section 182.651, is amended by adding a subdivision to read:

Subd. 18. The following substances or mixtures are not hazardous substances if they are:

(a) products intended for personal consumption by employees in the workplace;

(b) consumer products packaged for distribution to, and used by, the general public, including any product used by an employer or the employer's employees in the same form, concentration, and manner as it is sold to consumers, and to the employer's knowledge, employee exposure is not significantly greater than the consumer exposure occurring during principal consumer use of the product;

(c) any article, including but not limited to, an item of equipment or hardware, which contains a hazardous substance, if the substance is present in a solid form which does not create a health hazard as a result of being handled by an employee;

(d) any hazardous substance that is bound and not released under normal conditions of work or in a reasonably foreseeable occurrence resulting from workplace operations;

(e) products sold or used in retail food sale establishments and all other retail trade establishments, exclusive of processing and repair work areas; or

(f) any waste material regulated pursuant to the federal Resource Conservation and Recovery Act, P.L. 94-580, but only with respect to any employer in a business which provides a service of collection, processing, or disposal of such waste.

The commissioner may, by inclusion in the standards adopted pursuant to section 182.655, determine whether any of the fol-

lowing may be excluded from the definitions of hazardous substance or harmful physical agent:

(a) waste products labeled pursuant to the Resource Conservation and Recovery Act;

(b) any substance received by an employee in a sealed package and subsequently sold or transferred in that package, if the seal remains intact while the substance is in the employer's workplace; or

(c) any substance, mixture, or product if present in a physical state, volume, or concentration for which there is no valid and substantial evidence that a significant risk to human health may occur from exposure.

Sec. 7. Minnesota Statutes 1982, section 182.651, is amended by adding a subdivision to read:

Subd. 19. "Manufacturer" means anyone who produces, synthesizes, extracts, or otherwise makes, processes, blends, packages, or repackages a hazardous substance or harmful physical agent. The term manufacturer also includes anyone who imports into this state or distributes within this state a hazardous substance or harmful physical agent. Manufacturer does not include anyone whose primary business concerning the hazardous substance or harmful physical agent is in retail sales to the public. Retail sales to the public do not include sales of pesticides and fertilizers to farmers for their use in farming.

Sec. 8. Minnesota Statutes 1982, section 182.653, is amended by adding a subdivision to read:

Subd. 4a. An employer who is a manufacturer of a hazardous substance or a harmful physical agent or a mixture of substances or agents shall provide an employer who purchases the substance or agent with the information necessary for the purchasing employer to comply with sections 9 or 10. The information shall be provided at the time of purchase and shall be current, accurate, and complete for each substance, agent, or mixture.

For a mixture of hazardous substances, the manufacturer may provide the information required by this section on the entire product mixture, instead of on each hazardous substance in it, if all of the following conditions are met: hazard test information exists on the mixture itself or adequate information exists to form a valid judgment of the hazardous proportions of the mixture itself and the manufacturer indicates that the conclusions drawn are from some source other than direct testing on the mixture; information on the mixture will be as effective in protecting employee health as information on the ingredients;

and the hazardous substances in the mixture are identified together, with the information on the mixture.

Sec. 9. Minnesota Statutes 1982, section 182.653, is amended by adding a subdivision to read:

Subd. 4b. Prior to an employee's initial assignment to a workplace where the employee may be routinely exposed to a hazardous substance or harmful physical agent, the employer shall provide training concerning the hazardous substance or harmful physical agent. The employer shall provide additional instruction whenever the employee may be routinely exposed to any additional hazardous substance or harmful physical agent.

The term "routinely exposed" includes the exposure of an employee to a hazardous substance when assigned to work in an area where a hazardous substance has been spilled.

For each hazardous substance to which the employee may be routinely exposed, the employer's training program shall include:

(a) the name or names of the substance including any generic or chemical name, trade name, and commonly used name;

(b) the level, if any and if known, at which exposure to the substance has been determined to be safe according to standards adopted by the commissioner, or, if no standard has been adopted, according to guidelines established by competent professional groups including but not limited to the American Industrial Hygiene Association, the American Conference of Governmental Industrial Hygienists, the Center for Disease Control, the Bureau of Radiological Health, and the American National Standards Institute;

(c) the known acute and chronic effects of exposure at hazardous levels;

(d) the known symptoms of the effects;

(e) any potential for flammability, explosion, or reactivity of the substance;

(f) appropriate emergency treatment;

(g) the known proper conditions for safe use of and exposure to the substance;

(h) procedures for cleanup of leaks and spills;

(i) the name, phone number, and address of the manufacturer of the hazardous substance; and

(j) a written copy of all of the above information which shall be readily accessible in the area or areas in which the hazardous substance is used or handled.

Employees who have been routinely exposed to a hazardous substance prior to the effective date of this subdivision and who continue to be routinely exposed to that hazardous substance after the effective date of this subdivision, shall be trained with respect to that hazardous substance, within six months of the effective date of this subdivision.

Refresher training to update and review the information required to be provided under this subdivision shall be repeated at intervals no greater than one year.

Every employer shall maintain current information for training under this subdivision or for information requests by employees under section 17.

This subdivision does not apply to any employer engaged in a farming operation.

Sec. 10. Minnesota Statutes 1982, section 182.653, is amended by adding a subdivision to read:

Subd. 4c. For each harmful physical agent to which an employee may be routinely exposed, the employer's training program shall include the information required by the standard for that physical agent as determined by the commissioner, including but not limited to:

(a) the name or names of the physical agent including any commonly used synonym;

(b) the level, if any and if known, at which exposure to the physical agent has been determined to be safe according to standards adopted by the commissioner, or, if no standard has been adopted, according to guidelines established by competent professional groups including but not limited to the American Conference of Governmental Industrial Hygienists, the Center for Disease Control, the Bureau of Radiological Health, and the American National Standards Institute;

(c) the known acute and chronic effects of exposure at hazardous levels;

(d) the known symptoms of the effects;

(e) appropriate emergency treatment;

(f) the known proper conditions for safe use of and exposure to the physical agent;

(g) the name, phone number, and address, if appropriate, of the manufacturer of the harmful physical agent; and

(h) a written copy of all of the above information which shall be readily accessible in the area or areas in which the harmful physical agent is present and where the employee may be exposed to the agent through use, handling, or otherwise.

Employees who have been routinely exposed to a harmful physical agent prior to the effective date of this subdivision and who continue to be routinely exposed to that harmful physical agent after the effective date of this subdivision, shall be trained with respect to that harmful physical agent within six months of the effective date of this subdivision.

Refresher training to update and review the information required to be provided under this subdivision shall be repeated at intervals no greater than one year.

Every employer shall maintain current information for training under this subdivision or for information requests by employees under section 17.

This subdivision does not apply to any employer engaged in a farming operation.

Sec. 11. Minnesota Statutes 1982, section 182.653, is amended by adding a subdivision to read:

Subd. 4d. Each employer who is in the business of providing a service of collection, processing, or disposal of waste regulated pursuant to the federal Resource Conservation and Recovery Act, P.L. 94-580, shall provide employees who are routinely exposed to this waste a general safety training program approved by the commissioner. This training program shall be appropriate for the seriousness of the safety hazards commonly encountered by the employees and shall include: training concerning the general safety hazards involved in the collection, processing, or disposal of the waste; proper safety procedures to avoid the deleterious effects of these hazards; and common symptoms of the deleterious effects. Training shall be provided to employees within 60 days of the commissioner's approval of the training program, or, if the employee is employed after this 60-day period, prior to the employees' initial assignment where they will be routinely exposed to waste. Refresher courses reviewing the information of the training program shall be given to employees at intervals no greater than one year. The employer's safety training program shall be submitted to the commissioner for approval within two months of the effective date of this act.

Sec. 12. Minnesota Statutes 1982, section 182.653, is amended by adding a subdivision to read:

Subd. 4e. Each employer who is engaged in a farming operation and employs more than ten employees or maintains a temporary labor camp shall comply with a training program, developed by the commissioner, concerning the hazardous substances and harmful physical agents to which their employees are routinely exposed. The commissioner shall develop this training program in consultation with experts in agricultural work environment hazards and an advisory task force appointed by the commissioner, consisting of three representatives of agricultural employers and three representatives of agricultural employees. The program shall be designed to fulfill the same purposes as training under subdivisions 4b and 4c of this section, but take into account factors unique to farming operations. These factors shall include but not be limited to: the fact that many agricultural employees' primary language is Spanish and the fact that many chemicals used by agricultural employers are labeled under the Federal Insecticide, Fungicide, and Rodenticide Act. The commissioner shall complete implementation of this program within 1-1/2 years after the effective date of this act.

Sec. 13. Minnesota Statutes 1982, section 182.653, is amended by adding a subdivision to read:

Subd. 4f. Every employer shall have the right to request that their employees sign statements that they have received appropriate training under this section, once such training has been completed.

Sec. 14. Minnesota Statutes 1982, section 182.653, is amended by adding a subdivision to read:

Subd. 4g. Each employer who operates a hospital or clinic shall provide regular inservice training, approved by the commissioner, to its employees who are routinely exposed to contagious animate agents including viruses, bacteria, and fungus. This training shall be current, appropriate to the level of education of the employee, and relevant to the employee's typical exposure to the animate agents in fulfilling their duties for the employer. The training shall include the names of contagious animate agents to which the employee is routinely exposed, proper techniques for the employee to avoid contamination of himself or others with the animate agent, and symptoms and effects of contamination. Training shall be provided upon the initial assignment of the employee to a job where that person will be routinely exposed to contagious animate agents and shall be repeated after that at intervals no greater than one year.

Sec. 15. Minnesota Statutes 1982; section 182.653, is amended by adding a subdivision to read:

Subd. 4h. Each employer who operates a research or clinical laboratory shall develop, implement, and require compliance with

a written plan for control of the hazardous chemicals, substances and agents to which the employer's lab employees are routinely exposed. This control plan shall be approved by the commissioner and shall include: (1) basic rules and procedures for handling hazardous chemicals, substances, and agents in the laboratory consistent with professionally recommended policies for laboratory hygiene; and (2) training for each employee, appropriate to the employee's level of education, concerning the name, associated hazards, and safety procedures for the hazardous chemicals, substances, and agents to which the employee is routinely exposed. The employer shall ensure that all laboratory employees possess sufficient knowledge concerning the hazardous chemicals, substances, and agents with which they work to enable them to prevent overexposure to these chemicals, substances, and agents.

Sec. 16. Minnesota Statutes 1982, section 182.654, subdivision 7, is amended to read:

Subd. 7. (ANY) *An employee who has been exposed or is being exposed to (TOXIC MATERIALS) hazardous substances or harmful physical agents in concentrations or at levels in excess of that provided for by (ANY) an applicable standard shall be provided by (HIS) the employer with the opportunities provided in section 182.655, subdivision (10) 10a.*

Sec. 17. Minnesota Statutes 1982, section 182.654, is amended by adding a subdivision to read:

Subd. 10. *An employee, except an employee employed in a farming operation with ten or less employees and no temporary labor camp, or the designated representative of the employee has the right to request and receive from the employer, within a reasonable period of time, access to information the employer is required to provide the employee under sections 9, 10, or 12. For the purposes of this subdivision and section 28, subdivision 5, "designated representative" means a labor organization, as defined in section 179.01, subdivision 6, that represents employees under a valid collective bargaining agreement, or another employee whom an employee or former employee has authorized, in writing, to exercise the employee's rights under chapter 182.*

Every employee employed in a farming operation with ten or less employees and no temporary labor camp, and any association or union representing that employee, shall have the right, upon request, to receive from their employer, within a reasonable period of time, any information on a label required by federal or state health and safety law to be on the container of any substance or chemical to which the employee is routinely exposed.

Sec. 18. Minnesota Statutes 1982, section 182.654, is amended by adding a subdivision to read:

Subd. 11. An employee acting in good faith has the right to refuse to work under conditions which the employee reasonably believes they present an imminent danger of death or serious physical harm to the employee.

A reasonable belief of imminent danger of death or serious physical harm includes but is not limited to a reasonable belief of the employee that the employee has been assigned to work with a hazardous substance, harmful physical agent, or contagious animate agent under conditions which are inconsistent with the training or information provided by the employer pursuant to section 9, clauses (g) or (h), section 10, clause (f), section 11, section 12, section 14, section 15, or section 17.

An employer may not discriminate against an employee for a good faith refusal to perform assigned tasks if the employee has requested that the employer correct the hazardous conditions but the conditions remain uncorrected.

An employee who has refused in good faith to perform assigned tasks and who has not been reassigned to other tasks by the employer shall, in addition to retaining a right to continued employment, receive pay for the tasks which would have been performed if (1) the employee requests the commissioner to inspect and determine the nature of the hazardous condition, and (2) the commissioner determines that the employee, by performing the assigned tasks, would have been placed in imminent danger of death or serious physical harm; or (3) the employee requests the commissioner to inspect and determine if a hazardous condition exists, and (4) the commissioner determines that the employer has failed to provide the training required under sections 9, 10, or 12 prior to the employee's initial assignment to a workplace where the employee may be routinely exposed to a hazardous substance or harmful physical agent and the employer has failed to provide the information required under sections 9, 10, or 12 after a request pursuant to section 17 within a reasonable period of time, but not to exceed 24 hours, of the request.

Sec. 19. Minnesota Statutes 1982, section 182.655, subdivision 4, is amended to read:

Subd. 4. The commissioner, in (PROMULGATING) *adopting* standards dealing with (TOXIC MATERIALS) *hazardous substances* or harmful physical agents under this section, shall set the standard which most adequately assures, to the extent feasible, on the basis of the best available evidence, that no employee will suffer material impairment of health or functional capacity even if (SUCH) *the* employee has regular exposure to the hazard dealt with by (SUCH) *the* standard for the period of (HIS) *the* employee's working life. Development of standards under this subdivision shall be based upon research, demonstrations, experiments, and (SUCH) *other* information as may be appropriate. In addition to the attainment of the highest degree

of health and safety protection for the employee, other considerations shall be the latest available scientific data in the field, the feasibility of the standards, and experience gained under this and other health and safety laws. Whenever practicable, the standard (PROMULGATED) adopted shall be expressed in the terms of objective criteria and of the performance desired.

Sec. 20. Minnesota Statutes 1982, section 182.655, subdivision 10, is amended to read:

Subd. 10. Any standard (PROMULGATED) adopted under this section shall prescribe the use of labels or other appropriate forms of warning as are necessary to insure that employees are apprised of all hazards to which they are exposed, relevant symptoms and appropriate emergency treatment, and proper conditions and precautions of safe use or exposure. (WHERE APPROPRIATE, SUCH STANDARDS SHALL ALSO PRESCRIBE SUITABLE PROTECTIVE EQUIPMENT, IF FEASIBLE ENGINEERING AND ADMINISTRATIVE METHODS OF PROTECTION ALONE DO NOT PROVIDE ADEQUATE PROTECTION, AND THIS EQUIPMENT SHALL BE MADE AVAILABLE BY OR AT THE COST OF THE EMPLOYER. SUCH STANDARDS SHALL PROVIDE FOR MONITORING OR MEASURING EMPLOYEE EXPOSURE AT SUCH LOCATIONS AND INTERVALS AND IN SUCH MANNER AS MAY BE NECESSARY AND APPROPRIATE FOR THE PROTECTION OF EMPLOYEES. IN ADDITION, WHERE APPROPRIATE, ANY SUCH STANDARD SHALL PRESCRIBE THE TYPE AND FREQUENCY OF MEDICAL EXAMINATIONS OR OTHER TESTS WHICH SHALL BE MADE AVAILABLE BY THE EMPLOYER, OR AT HIS COST, TO EMPLOYEES EXPOSED TO SUCH HAZARDS IN ORDER TO MOST EFFECTIVELY DETERMINE WHETHER THE HEALTH OF SUCH EMPLOYEES IS ADVERSELY AFFECTED BY SUCH EXPOSURE. THE RESULTS OF SUCH EXAMINATIONS OR TESTS SHALL BE FURNISHED ONLY TO THE COMMISSIONER AND, AT THE REQUEST OF THE EMPLOYEE, TO HIS PHYSICIAN.)

In the case of containers containing a hazardous substance or a harmful physical agent, a label is required as an appropriate form of warning in providing the same information as required under sections 9, 10, or 12. A label may be a coded reference to an appropriate and accessible data sheet containing the information required under sections 9, 10, or 12. When appropriate, a current data sheet may be affixed to or posted in accessible close proximity to a container containing a hazardous substance or a harmful physical agent in satisfaction of standards adopted for labels under this chapter. Containers may be labeled pursuant to federal or state labeling requirements that the commissioner certifies as satisfying the labeling standards adopted under this chapter.

Sec. 21. Minnesota Statutes 1982, section 182.655, is amended by adding a subdivision to read:

Subd. 10a. Where appropriate, standards shall prescribe suitable protective equipment, if feasible engineering and administrative methods of protection alone do not provide adequate protection, and this equipment shall be made available by or at the cost of the employer. The standards shall also provide for monitoring or measuring employee exposure at the locations and intervals and in the manner as may be necessary and appropriate for the protection of employees. Where appropriate, a standard shall prescribe the type and frequency of medical examinations or other tests which shall be made available by the employer, or at the employer's cost, to employees exposed to hazards in order to most effectively determine whether the health of those employees is adversely affected by the exposure. The results of these examinations or tests shall be furnished only to the commissioner, the employee's physician, at the request of the employee, and the employer to the commissioner and with notice to the employee.

Sec. 22. Minnesota Statutes 1982, section 182.655, subdivision 11, is amended to read:

Subd. 11. The commissioner shall (PROVIDE FOR) *adopt* an emergency temporary standard to take immediate effect upon publication if (HE) *the commissioner* determines:

(a) That employees are exposed to *grave or imminent danger* from exposure to *hazardous* substances or *harmful physical agents* (DETERMINED TO BE TOXIC OR PHYSICALLY HARMFUL OR FROM NEW) *or other hazards*; and

(b) That (SUCH) *the* emergency standard is necessary to protect employees from (SUCH) *the* danger. (SUCH) *The* standard shall be effective until superseded by a standard (PROMULGATED) *adopted* in accordance with the procedures prescribed in subdivision 2.

Upon publication of (SUCH) *the* standard or standards, which interested persons may receive upon request and payment of fees, the commissioner shall commence a proceeding in accordance with subdivision 2 and the standard as published shall also serve as a proposed rule for the proceeding; the commissioner shall (PROMULGATE) *adopt* a standard under this section no later than six months after the publication of the emergency standard.

Sec. 23. [182.6575] [WAIVER PROHIBITED.]

No employer may request or require any employee to waive any rights under this chapter or under occupational safety and health standards adopted pursuant to this chapter.

Sec. 24. Minnesota Statutes 1982, section 182.658, is amended to read:

182.658 [POSTING REQUIREMENTS.]

The commissioner shall issue regulations requiring that employers, through posting of notices or other appropriate means, keep their employees informed of their protections and obligations under (LAWS 1973, CHAPTER 732) *chapter 182* including the provisions of applicable standards.

Sec. 25. Minnesota Statutes 1982, section 182.66, subdivision 1, is amended to read:

Subdivision 1. (IF, UPON) *After an inspection or investigation, if the commissioner believes that an employer has violated a requirement of section 182.653, (SUBDIVISIONS 2 TO 4,) or any standard, rule (, REGULATION) or order (PRESCRIBED) adopted pursuant to (LAWS 1973, CHAPTER 732, HE) this chapter, the commissioner shall, with reasonable promptness and in no event later than six months following the inspection, issue a written citation to the employer by certified mail (A WRITTEN CITATION). The citation (SHALL BE IN WRITING AND) shall describe with particularity the nature of the violation, including a reference to the provision of the act, standard, rule (, REGULATION) or order alleged to have been violated. In addition, the citation shall fix a reasonable time for the abatement of the violation.*

Sec. 26. Minnesota Statutes 1982, section 182.663, subdivision 3, is amended to read:

Subd. 3. The commissioner shall (ISSUE REGULATIONS) *adopt rules* requiring employers to maintain accurate records of employee exposures to (POTENTIALLY TOXIC MATERIALS) *hazardous substances* or harmful physical agents which are required to be monitored under (LAWS 1973, CHAPTER 732) *this chapter*. (SUCH REGULATIONS) *The rules* shall provide employees or their representatives with an opportunity to have access to the records (THEREOF). (SUCH REGULATIONS) *The rules* shall provide employees or their representatives with an opportunity to observe (SUCH) *the monitoring or measuring and to have access to the records (THERETO) and reports of the monitoring and measuring.* In order to carry out the provisions of this section, (SUCH REGULATIONS) *the rules* may include provisions requiring employers to conduct periodic inspections. (EACH) *An employer shall promptly notify (ANY) an employee who has been or is being exposed to (TOXIC MATERIALS) hazardous substances or harmful physical agents in concentrations or at levels which exceed those prescribed by an applicable occupational safety and health standard (PROMULGATED) adopted under (LAWS 1973, CHAPTER 732) chapter 182, and shall inform any em-*

ployee who is being (THUS) exposed of the corrective action being taken.

Sec. 27. Minnesota Statutes 1982, section 182.666, is amended by adding a subdivision to read:

Subd. 5a. Any employer who knowingly violates section 23 shall be assessed a fine of up to \$1,000 for each violation. The employer shall also be liable to each aggrieved employee for civil punitive damages of \$200.

Sec. 28. Minnesota Statutes 1982, section 182.668, is amended to read:

182.668 [TRADE SECRETS.]

Subdivision 1. [DETERMINATION BY COMMISSIONER.] The commissioner may, on request and after a sufficient showing by the employer, determine that an employer's use of a substance, agent, or mechanism is a trade secret as defined in section 325C.01, subdivision 5.

Subd. 2. [CLASSIFICATION OF DATA.] All information reported to or otherwise obtained by the commissioner or his representative in connection with any inspection or proceeding under Laws 1973, Chapter 732 which contains or which might reveal a trade secret shall be considered confidential except that such information may be disclosed to other officers or employees concerned with carrying out Laws 1973, Chapter 732 or when relevant in any proceeding under Laws 1973, Chapter 732.

Subd. 3. [PROTECTION OF CONFIDENTIALITY.] The commissioner shall issue such orders as may be appropriate to protect the confidentiality of trade secrets by allowing, upon the request of an employer any authorized representative of employees in inspections of trade secrets areas or discussions involving trade secrets to be replaced by an employee authorized by the employer; by permitting the employer to screen out trade secret details where photographs are deemed essential to the investigation; and by allowing the employer to restrict samples to be taken where trade secrets might be exposed.

Subd. 4. [RESTRICTIONS ON DISCLOSURE.] Information provided to an employer, employee, or employee representative pursuant to training or information provisions of this chapter, which has been determined to be a trade secret pursuant to subdivision 1, shall not be disclosed to anyone except as required for medical treatment, training, or information under the provisions of this chapter, or in the course of an investigation or proceeding under sections 182.65 to 182.674. An employer, employee, or employee representative who knowingly discloses information in violation of this subdivision and any person

knowingly receiving such information is guilty of a gross misdemeanor. An employer, employee, or employee representative who violates this subdivision shall also be liable for damages to the aggrieved employer, including consequential damages caused by the unlawful receipt or disclosure.

Sec. 29. [182.675] [RELATIONSHIP TO COLLECTIVE BARGAINING.]

Although not required, an employee or employer may seek to resolve any dispute arising under this chapter through resolution procedures provided by any applicable labor agreement or, if there is no applicable provision of a labor agreement, through a dispute resolution procedure to be developed by the commissioner. The employee is not deemed to have waived or lost any substantive or procedural rights under this chapter due to resort to the resolution methods and may, absent a provision in a labor agreement to the contrary, pursue all legal remedies under this chapter without any prejudice due to the results of these resolution methods. The commissioner may adopt temporary rules to develop a dispute resolution procedure. Nothing in this chapter is deemed to prevent the creation of additional rights or remedies for employees pursuant to a labor agreement or personnel rule.

Sec. 30. [INSTRUCTION TO REVISOR.]

Whenever the phrase "Laws 1973, Chapter 732" or a like phrase appears in Minnesota Statutes, chapter 182, the revisor of statutes shall substitute the phrase "this chapter" or "chapter 182."

Sec. 31. [APPROPRIATION.]

The sum of \$100,000 is appropriated from the general fund to the commissioner of labor and industry to administer the Employee Right to Know Act, to be available for the fiscal year ending June 30 in the years indicated. Any unencumbered balance remaining in the first year does not cancel but is available for the second year of the biennium.

1984	1985
\$50,000	\$50,000

The department of labor and industry is directed to seek federal match from the occupational safety and health administration. The approved complement of the department of labor and industry is increased by two positions.

Sec. 32. [EFFECTIVE DATE.]

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 31 are effective January 1, 1984. Section 18 is effective July 1, 1984. Section 30 is effective on the day following final enactment."

Delete the title and insert:

"A bill for an act relating to labor; providing for occupational safety and health; defining "hazardous substance" and "harmful physical agent"; requiring manufacturers of hazardous substances or harmful physical agents to provide certain information; creating a right to refuse to work under conditions violating the state occupational safety and health act; creating a right to refuse to work with a hazardous substance or harmful physical agent under certain conditions; requiring employers using hazardous substances and harmful physical agents to provide employees with certain training and information; creating a presumption that hazardous substances and harmful physical agents must be labeled under certain circumstances; prohibiting waiver of any employee rights under the state occupational safety and health act; clarifying relation of bargaining agreements to safety laws; providing protection for trade secrets; providing penalties; appropriating money; amending Minnesota Statutes 1982, sections 182.651, by adding subdivisions; 182.653, by adding subdivisions; 182.654, subdivision 7, and by adding subdivisions; 182.655, subdivisions 4, 10, 11, and by adding a subdivision; 182.658; 182.66, subdivision 1; 182.663, subdivision 3; 182.666, by adding a subdivision; and 182.668; proposing new law coded in Minnesota Statutes, chapter 182."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 533, A bill for an act relating to state government; providing for legislative expenses; amending Minnesota Statutes 1982, section 3.101; repealing Minnesota Statutes 1982, section 3.102.

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

The report was adopted.

Tomlinson from the Committee on Taxes to which was referred:

H. F. No. 639, A bill for an act establishing an agricultural resource loan guaranty program, board, and fund, and the terms

of guaranties by the state of project loans in the program; appropriating money, taxes, tax increments, and other governmental charges; authorizing the issuance of state bonds; amending Minnesota Statutes 1982, sections 116B.03, subdivision 1; 290.01, by adding a subdivision; 297A.44, subdivision 1; and 362A.01, subdivision 1; 362A.05; and 473F.02, subdivision 3; proposing new law coded as Minnesota Statutes, chapter 41A; proposing new law coded in Minnesota Statutes, chapter 362A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [41A.01] [PURPOSE.]

Sections 1 to 6 provide a framework for an agricultural resource loan guaranty program, the purposes of which are to further the development of the state's agricultural resources, improve the market for its agricultural products, and increase the use of chemicals including fuel derived from renewable agricultural sources and having superior qualities for controlling pollution and conserving energy. Public debt is authorized by the constitution to be incurred for developing agricultural resources by extending credit on real estate security. The program contemplates the use of this power not to finance projects of the kind described herein, but to provide financial guaranties for a portion of the cost of viable projects to the extent necessary to enable qualified developers and operators to secure private financing which would not otherwise be available. All credit advanced pursuant to loan guaranty commitments is to be secured by subrogation of the state to mortgage security and other security interests granted to the private lender, in proportion to the amount advanced by the state. A loan guaranty board is established to investigate the feasibility of each project, its conformity to the above policies and to environmental standards, the qualifications of the owners, operators, and lenders, and the nature and extent of the security, prior to commitment, and to secure maximum financial participation by private persons, not supported by the guaranty, to assure that in these respects each project satisfies and will continue to satisfy criteria which are adequate in the judgment of the board.

Sec. 2. [41A.02] [DEFINITIONS; ACTIONS BY THE STATE.]

Subdivision 1. The definition of each term given in this section applies whenever the term is used in sections 1 to 7.

Subd. 2. "Agricultural resource" means any organic matter which is available on a renewable basis from agricultural processes, including cereal, animal, and wood production, waste, and residues.

Subd. 3. "Agricultural resource loan guaranty board" or "board" means the commissioner of finance as chairman, the commissioner of agriculture, the commissioner of commerce, the commissioner of energy, planning and development or the appropriate successor agency or agencies, and the director of the pollution control agency.

Subd. 4. "Agricultural resource loan guaranty fund" or "guaranty fund" means the special and dedicated fund of the state created by section 5.

Subd. 5. "Agricultural resource loan guaranty program" or "program" includes all projects and loan guaranties approved pursuant to sections 3 and 4 for the purposes set forth in section 1.

Subd. 6. "Agricultural resource project" or "project" means any facility (or portion of a facility) located in the state which is operated or to be operated primarily for the production from agricultural resources of gaseous, liquid, or solid fuel and other chemicals, and products and by-products, including mixing or producing substances to be mixed with other substances for use as a fuel or as a substitute for petroleum or petrochemical feedstocks.

Subd. 7. "Applicant" means any rural development finance authority organized, or any county exercising the powers of such an authority, pursuant to chapter 362A, which applies to the state for approval of a guaranty of a loan to a borrower for a project.

Subd. 8. "Borrower" means any applicant or any private individual, company, cooperative, partnership, corporation, association, consortium, or other entity organized for a common business purpose, which is obligated or to be obligated to pay a guaranteed loan.

Subd. 9. "Construction" means construction of a new agricultural resource project, or conversion of a facility to such a project, or expansion or improvement of a project to increase its capacity or efficiency. "Construction" includes acquisition of land, easements, buildings, structures, improvements, and equipment and machinery for use in or at the site of a project or on easements adjacent thereto.

Subd. 10. "Cost" of a project means the sum of all obligations paid or to be paid or incurred by the borrower which are reasonably required for the construction and completion of the project, including but not limited to (i) surveys, estimates, plans, specifications, supervision of construction, and other engineering and architectural service; (ii) payments under construction contracts and for payment and performance bonds; (iii) purchase

and installation of equipment and machinery; (iv) recording, filing, permit, legal, financial, underwriting, placement, commitment, publication, advertising, and other charges, fees, and expenses incurred for establishing title, mortgage liens, and security interests with respect to the project, for securing permits for construction and approval of the loan guaranty, for establishing the terms of the loan and underlying security agreements; and for offering, selling, or placing with investors and printing and delivering the obligations evidencing the loan; and (v) interest, discount, fees, and expenses accruing with respect to the loan, and taxes and other government charges payable with respect to the project, during construction.

Subd. 11. "Lender" means any holder or holders of bonds, notes, or other obligations evidencing a guaranteed loan, any trustee representing such holders, and any investment or commercial banking institution, savings and loan institution, insurance company, investment company, or other financial institution or institutional investor making, purchasing, or participating in a loan or any part thereof.

Subd. 12. "Loan" means any obligation to repay money borrowed to finance the construction of a project or to refund or refinance such an obligation.

Subd. 13. "Loan agreement" means a written agreement or agreements setting forth the terms and conditions of the obligation of the borrower to the lender and the pledges and covenants made and mortgage lien and other security interests granted for the security of the obligations; including a mortgage, note, indenture, or other agreement however designated.

Subd. 14. "Loan guaranty" means a written agreement executed on behalf of the state that guarantees, in accordance with the terms and conditions contained therein or in a loan agreement, the payment of sums of money owing by a borrower to a lender.

Subd. 15. "State" actions contemplated in sections 1 to 6 may be taken on behalf of the state by resolutions of the agricultural resource loan guaranty board, subject to approval by the governor if required by the governor; or by a member of the board or another state officer in the department headed by the member, pursuant to authority delegated, by resolution of the guaranty board. Resolutions of the guaranty board shall be effective when approved by the vote of a majority of its members.

Sec. 3. [41A.03] [LOAN GUARANTIES.]

Subdivision 1. [AUTHORITY FOR AND LIMITATION OF GUARANTY.] Subject to the provisions of sections 1 to 6 and upon determination that a loan hereunder will serve the public

purposes and satisfy the conditions set forth therein (but not subject to the provisions of chapter 14), the state may guarantee and commit to guarantee against loss an amount of a loan for the construction of an agricultural resource project (or the refunding or refinancing of such a loan), secured by a first mortgage lien on and security interest in all real and personal property comprising the project and such other collateral as may be provided in the loan agreement. The board shall determine the amount, in excess of 80 percent but not more than 90 percent, of the loan to be guaranteed. The amount of the loan shall include accrued interest.

Subd. 2. [MAXIMUM LOAN AMOUNT.] The board shall determine the amount of the total cost of a project which may be financed with a guaranteed loan. The total principal amount of the loan may equal 70 percent but shall not exceed 80 percent of the total cost of the project, as estimated by the state. In the case of a loan to refund or refinance a guaranteed loan, the board shall determine the amount of the principal and interest refunded or refinanced to be guaranteed subject to the limitation as provided by subdivision 1. If the actual cost of a project exceeds the estimated cost, the board may agree to an increase in the amount of the loan principal, subject to the percentage limitations previously established for the project, regarding the percentage of the loan to be guaranteed and the percentage of the cost of the project permitted to be financed with a guaranteed loan or loans.

Subd. 3. [REQUIRED PROVISIONS.] The loan guaranty or loan agreement pertaining to any loan guaranteed by the state shall provide that:

(a) Payments of principal and interest made by the borrower under the loan shall be applied by the lender to reduce the guaranteed and nonguaranteed portion of the loan on a proportionate basis, and the nonguaranteed portion shall not in any event receive preferential treatment over the guaranteed portion.

(b) A period of grace shall be allowed of not less than 60 days from a date a principal or interest payment is due, prior to the making of demand for payment pursuant to the loan guaranty, to permit adequate time for a decision on behalf of the state regarding principal and interest assistance in accordance with subdivision 4. Payment as required by the loan guaranty shall be made within 60 days after receipt by the state of written demand complying with the terms and conditions of the guaranty.

(c) The lender may not accelerate repayment of the loan or exercise other remedies available to the lender in the event of the borrower's default, except in the case of the borrower's failure to pay a required payment of principal or interest, with-

out the prior written consent of the state or as otherwise permitted in the loan guaranty. In the event of such defaults, the lender shall not be entitled to make demand for payment pursuant to the guaranty unless the state agrees in writing that such default has materially affected the rights or security of the parties, and finds that the lender should be entitled to receive payment pursuant to the loan guaranty.

(d) If a payment of principal or interest is made by the state upon default of the borrower, the state shall be subrogated to the rights of the lender with respect to such payment.

(e) The borrower shall cause to be promptly prepared and delivered to the state annual audited financial statements of the project prepared according to generally accepted accounting principles.

(f) Duly authorized representatives of the state shall have access to the project site at reasonable times during construction and operation of the project.

(g) The borrower shall maintain adequate records and documents concerning the construction and operation of the project in order that representatives of the state may determine its technical and financial conditions and its compliance with environmental requirements. Such records shall include the amounts of all sales and use taxes paid on personal property and services purchased for the construction and operation of the project, with tax receipts furnished by the sellers or other supporting documentation determined by the board to be satisfactory. The amounts of such taxes shall be reported to the board in the manner and at the times required by the board.

(h) The borrower shall protect and preserve at all times the project assets and other collateral securing the loan and shall assist in liquidation of collateral to minimize loss in the event of default.

(i) Orderly liquidation of assets of the project shall be provided for in the event of default, with an option on the part of the state to acquire from the lender the lender's interest therein pursuant to the nonguaranteed portion of the loan.

(j) The state shall be paid at or prior to the closing of the guaranteed loan a fee or fees for the loan guaranty or the commitment to guarantee the loan, which shall not in the aggregate exceed one percent of the total principal amount of the guaranteed portion.

(k) The lender shall cause to be perfected and maintained the mortgage lien on the real estate and the security interest in personal property and collateral granted as security for the loan,

and shall cause all other loan servicing functions to be performed which are normally required or performed by a reasonable and prudent lender with respect to a loan without a guaranty.

(l) The state shall be notified in writing without delay of (i) the date and amount of and basis for each disbursement of loan proceeds; (ii) any nonpayment of principal or interest due (within ten days after the due date and with evidence of notification to the borrower); (iii) any failure to honor a commitment by any person of an intended source of capital for the project; and (iv) any significant adverse changes from original cash flow projections as evidenced by reports from the borrower, or any other known evidence that the borrower might be unable to meet a future scheduled payment of principal or interest.

Subd. 4. [PRINCIPAL AND INTEREST ASSISTANCE.]
The state may at any time enter into a written contract with the borrower to pay the lender, on behalf of the borrower, an amount not greater than the amount of principal and interest to become due on one or more subsequent dates, without acceleration, if the state determines that (i) the borrower is not in default in payment of principal or interest due more than 60 days prior to the date of the contract; (ii) the borrower is or may become unable to meet in full principal or interest payments, or both, which are due or to become due within a specified period; (iii) it is in the public interest to permit the borrower to continue to pursue the purposes of the project; (iv) the probable net financial loss to the state will be less than that which would result in the event of a default; (v) the borrower is obligated by the contract to reimburse the state for all principal or interest advanced, with interest thereon, upon terms and conditions satisfactory to the state; and (vi) funds are available for allocation to the account established for the project in the guaranty fund, and are continuously allocated to the account in accordance with the provisions of section 4, subdivision 4, in an amount equal to the amount of interest on the advances until actually reimbursed to the state by the borrower. All sums so advanced and interest thereon shall be secured by the mortgage lien and security interest granted by the loan agreement, but none of such advances shall thereafter be repaid to the state until and unless all principal and interest currently due on the loan has been fully paid. In the event of subsequent default by the borrower, acceleration by the lender, and payment by the state of the full amount due under the loan guaranty, the state shall be subrogated to the rights of the lender with respect to the principal paid by it under the contract. Upon payment of the loan in full, with accrued interest, the remaining amount of said advances and interest thereon may be paid to the state.

Sec. 4. [41A.04] [APPLICATION AND APPROVAL.]

Subdivision 1. [REQUIREMENTS.] Any rural development finance authority, or county exercising the powers of such

an authority, may file a written application with the state commissioner of finance, to be considered by the agricultural resource loan guaranty board, for a guaranty by the state of a portion of a loan for an agricultural resource project. In general, the application shall provide information similar to that required by an investment banking or other financial institution considering such a project for debt financing. Specifically, each application shall include in brief but precise form the following information, as supplied by the applicant, the borrower, or the lender:

(1) a description of the scope, nature, extent, and location of the proposed project, including the identity of the borrower and a preliminary or conceptual design of the project;

(2) a description of the technology to be used in the project and the prior construction and operating experience of the borrower with such projects;

(3) a detailed estimate of the items comprising the total cost of the project, including escalation and contingencies, with explanation of the assumptions underlying the estimate;

(4) a general description of the financial plan for the project, including the mortgage and security interests to be granted for the security of the guaranteed loan, and all sources of equity, grants, or contributions or of borrowing the repayment of which is not to be secured by said mortgage and security interests, or, if so secured, is expressly subordinated to the guaranteed loan;

(5) an environmental report analyzing potential environmental effects of the project, any necessary or proposed mitigation measures, and other relevant data available to the applicant to enable the board to make an environmental assessment;

(6) a list of applications to be filed and estimated dates of approvals of permits required by federal, state, and local government agencies as conditions for construction and commencement of operation of the project;

(7) an estimated construction schedule;

(8) an analysis of the estimated cost of production of and market for the product, including economic factors justifying the analysis and proposed and actual marketing contracts, letters of intent, and contracts for the supply of feedstock;

(9) a description of the management experience of the borrower in organizing and undertaking similar projects;

(10) *pro forma* cash flow statements for the first five years of project operation including income statements and balance sheets;

(11) a description of the borrower's organization and, where applicable, a copy of its articles of incorporation or partnership agreement and bylaws;

(12) the estimated amount of the loan and percentage of guaranty requested, the proposed repayment schedule, and other terms and conditions and security provisions of the loan;

(13) an estimate of the amounts and times of receipt of guaranty fees, sales and use taxes, property tax increments, and any other governmental charges which may be available for the support of the state guaranty fund as a result of the construction of the project, with an analysis of the assumptions on which the estimate is based;

(14) a copy of any lending commitment issued by a lender to the borrower;

(15) a statement from the lender, if identified, as to its general experience in financing and servicing debt incurred for projects of the size and general type of the project, and its proposed servicing and monitoring plan; and

(16) such additional information as may be required by the board.

Subd. 2. [STAFF.] For purposes of financial analysis, research and other necessary staff functions to assess loan guaranty applications, the commissioner of energy, planning and development, or its successor agency, will provide personnel as needed pursuant to implementation of this act.

Subd. 3. [ENVIRONMENTAL ASSESSMENT.] Notwithstanding any other law or rule, no environmental impact statement or environmental worksheet shall be required to be completed prior to the approval of an application and the issuance of a conditional commitment for the guaranty of a loan for an agricultural resource project, or the taking of any other action permitted by sections 1 to 6, including the issuance of bonds, which is considered necessary or desirable by the board to prepare for a final commitment and to make it effective. Environmental review, to the extent required by law, shall be made in conjunction with the issuance by state agencies of environmental permits for the project. Permits may be applied for prior to the issuance of a conditional commitment. Action shall be taken as expeditiously as possible on environmental review and all permits required. Environmental review shall be completed within 180 days after the initial filing of an application to the pollution con-

trol agency for the first permit, or after the date of the conditional commitment. Final action shall be taken on permits within 60 days after completion of environmental review or, as to any permit requiring a public hearing, within 60 days after receipt of the hearing examiner's report.

Subd. 4. [COMMITMENT.] The board shall determine as to each project for which an application is submitted whether it appears in the board's judgment to conform to the purposes and policies stated in section 1 to an extent measured by criteria which in the board's judgment are satisfactory. It may but need not adopt rules setting forth such criteria prior to approving a commitment. Upon determination by the board that a project conforms to said purposes and policies, it may by resolution direct its chairman to execute on behalf of the state a conditional commitment to guarantee such portion of the proposed loan as it shall determine, not exceeding the limitations set forth in section 3, and may direct other action to be taken as the board considers necessary or desirable relating to any matters referred to in subdivisions 1 and 2, including the issuance of bonds. No action shall be allowable under section 116B.03, subdivision 1, with respect to acts of any person authorized or required by the resolution. Such commitment shall not become final and binding upon the state until and unless, in addition to conditions otherwise established by the board:

(1) the board has created a project account for the project in the guaranty fund and has allocated thereto, from funds theretofore appropriated by the legislature or from the proceeds of bonds issued or to be issued for purposes of the guaranty fund pursuant to authorization theretofore enacted by the legislature, and not previously allocated to any other project account, in an aggregate amount sufficient, with any other amount then on hand in the project account, to pay the entire guaranteed principal amount of the proposed loan, plus interest thereon for one year; provided that bonds authorized by the legislature need not be issued until and unless the proceeds allocated to a project account must be deposited therein to comply with clause (2) or (3);

(2) the board has deposited in the project account bond proceeds or other funds in an amount not less than the annual amount which would be required to amortize the guaranteed portion of the principal of the loan over the term and at the interest rate (or at the rate of yield resulting from the interest rates) provided in the loan agreement; and

(3) the board has caused to be executed on behalf of the state a final loan guaranty instrument in conformity with section 3, which binds the state to cause state bonds to be offered for sale at the times and in the amounts required, with amounts on hand in the project account, to pay all amounts to become due and payable under the loan guaranty, within the authorization and al-

location referred to in clause (1), and when sold, to issue the bonds and apply the proceeds to make these payments.

Sec. 5. [41A.05] [MINNESOTA AGRICULTURAL RESOURCE LOAN GUARANTY FUND AND BONDS.]

Subdivision 1. [ESTABLISHMENT OF FUND.] For the purpose of developing the state's agricultural resources by extending credit on real estate security, the agricultural resource loan guaranty fund is established as a special and dedicated fund to be held and invested separately from all other funds of the state. All proceeds of state bonds, authorized and issued for the purposes of the fund, and all guaranty fees, retail sales taxes, property tax increments, and other money from any source which may be credited to the fund pursuant to law or pursuant to the terms of grants, contributions, or contracts are appropriated and shall remain available for the purposes of the fund until such purposes have been fully accomplished. The fund shall be used solely for paying amounts due under loan guaranties and principal and interest assistance contracts entered into by the state, pursuant to the agricultural resource loan guaranty program.

Subd. 2. [ISSUANCE OF BONDS.] To provide money appropriated to the agricultural resource loan guaranty fund for the purposes of the program, when authorized by law and requested by the board, the commissioner of finance shall issue and sell bonds of the state for the prompt and full payment of which, with interest, the full faith, credit, and taxing powers of the state are irrevocably pledged. The proceeds of the bonds when issued, except accrued interest and any premium received upon sale, shall be credited to the guaranty fund. All such bonds shall be sold and issued and shall be secured in the manner, upon the terms, and with the effect prescribed for state building bonds in chapter 16A, except that the commissioner may sell them and determine their interest rate by direct negotiation, and with the security provisions set forth therein and in article XI, sections 4 to 7 of the constitution.

Subd. 3. [COVENANT.] In fulfillment of the state's covenant with the beneficiary of each loan guaranty executed by the board on behalf of the state pursuant to the agricultural resource loan guaranty program, in accordance with section 4, subdivision 4, the state will not limit or alter the rights vested in the board to comply with the terms of such loan guaranties, and further covenants that it will not at any time rescind or cancel any authorization of an amount of bonds, or the appropriation of the proceeds thereof for the purposes of the program, which, with the sum of the amounts then held in each project account in the guaranty fund, would be required, in the event of an immediate default on each guaranteed loan, to pay the balance of the guaranteed portion of the principal of all guaranteed loans with interest accrued and to accrue thereon for one year.

Subd. 4. [INCOME TAX EXEMPTION.] In the issuance of state bonds and the making of loan guaranties for the purposes of the program, the commissioner of finance and the board may and shall make all provisions and do or cause to be done all acts and things, consistent with sections 1 to 6, which are or may be effective under federal laws and regulations to comply with conditions for the exemption of interest on such bonds from federal income taxation. However, if for any reason, whether existing at the date of issue of any bonds or the date of execution of any loan guaranty or thereafter, the interest on any such bonds shall be or become subject to federal income taxes, this shall not impair or affect the validity of the bonds or of any loan guaranty or the provisions made for the security thereof, and shall not impair or affect the covenant made by the state in subdivision 3. Nothing herein affects the federal or state income tax treatment of interest on obligations of a borrower other than the state, whether or not guaranteed by the state.

Sec. 6. [41A.06] [PROJECT TAXES AND OTHER CHARGES.]

Subdivision 1. [APPROPRIATION.] The payments, taxes, and governmental charges described in this section which are received as a consequence of the undertaking, completion, and operation of each agricultural resource loan project for which a loan guaranty is made by the state are appropriated to the loan guaranty fund. This appropriation shall not lapse at the close of any fiscal year under the provisions of section 16A.28, and the receipts therefrom shall remain available as provided in section 5, subdivision 1; but the state shall not be obligated to continue the appropriation with respect to charges not yet collected, except to the extent determined to be necessary for compliance with the covenant contained in section 5, subdivision 3.

Subd. 2. [ALLOCATION TO PROJECT ACCOUNTS.] Receipts of charges related to a particular project shall be deposited and recorded in its project account in the guaranty fund; but the board may reallocate receipts in any project account which cause the amount held therein to exceed the minimum balance established initially pursuant to section 4, subdivision 4, clause (2). Such reallocation may be made to another project account for the purpose of maintaining the minimum balance therein. Any amount in the guaranty fund at any time exceeding the amount needed to maintain the minimum balance in all project accounts may be transferred to the account maintained in the state debt service fund for the payment of Minnesota agricultural resource loan guaranty bonds; provided that (i) no guaranty fees or other amounts paid by borrowers shall be so transferred, and (ii) the board determines that the transfer may be made without jeopardizing the ability of the state to comply with the covenant contained in section 5, subdivision 3.

Subd. 3. [PAYMENTS BY BORROWERS.] Guaranty and commitment fees paid by borrowers pursuant to the loan guaranty provision required by section 3, subdivision 3, clause (j), and repayments by borrowers of amounts advanced by the state under contracts referred to in section 3, subdivision 4, shall be deposited in the project account for the borrower's project and shall not be disbursed or transferred for any purpose other than the fulfillment of the state's obligations under the loan guaranty for that project. No such funds shall be deemed to be so transferred at any time if the minimum required balance in the project account is maintained and exceeds the aggregate amount of fees and payments theretofore received from the borrower plus interest received from the investment thereof.

Subd. 4. [SALES AND USE TAXES.] All collections of the excise taxes imposed by chapter 297A upon retail sales, and upon the privilege of use, storage, or consumption in Minnesota, of personal property and services purchased for the construction or operation of any project for which a loan guaranty has been made or conditionally committed, less any refunds required by law and a proportionate share of the cost of administration and enforcement of the assessment and collection of the taxes, are appropriated and shall be deposited from the general fund into the project account in the guaranty fund at least once each year from and after the date of the conditional commitment. The commissioner of finance shall secure from each borrower the amount of taxes so imposed and from the commissioner of revenue the amount of refunds or costs to be deducted therefrom.

Subd. 5. [PROPERTY TAX INCREMENTS.] The applicant for a loan guaranty for any project, and the county in which the project is situated, shall do all acts and things necessary for the computation and segregation of property tax increments resulting from the construction of the project in accordance with the provisions of section 362A.05, and for the remittance to the commissioner of finance, for deposit in the loan guaranty fund, of all tax increments received from and after the date of the conditional commitment for the loan guaranty.

Sec. 7. [41A.06] [ADVISORY COMMISSION.]

The board may appoint an advisory commission consisting of at least five members. The members of the commission shall include individuals with expertise in agricultural processing, commercial lending and financing of similar or related projects, agricultural economics, and engineering, chemistry, and other natural sciences related to the projects. The commission shall advise the board on establishing a workable program pursuant to sections 1 to 6 and may provide assistance in evaluating applications for loan guarantees. The terms and compensation of commission members shall be governed by section 15.059, except that subdivision 5 shall not apply.

Sec. 8. Minnesota Statutes 1982, section 297A.44, subdivision 1, is amended to read:

Subdivision 1. All revenues, including interest and penalties, derived from the excise and use taxes imposed by sections 297A.01 to 297A.44 shall be deposited by the commissioner in the state treasury and credited to the general fund; *provided that all such taxes derived from sales and use of property and services purchased for the construction and operation of an agricultural resource project, from and after the date on which a conditional commitment for a loan guaranty for the project is made pursuant to section 4, subdivision 4, as certified to the commissioner by the commissioner of finance, less refunds and the cost of administering and enforcing the assessment and collection of taxes so derived, shall be deposited in the agricultural resource loan guaranty fund.*

Sec. 9. Minnesota Statutes 1982, section 362A.01, subdivision 1, is amended to read:

Subdivision 1. Any county or combination of counties by resolution of the county board or boards may establish a rural development financing authority as a public nonprofit corporation with the same powers and duties as those conferred and imposed on a private nonprofit corporation by chapter 317, and all present and future laws amending or supplementing that chapter, except as otherwise or additionally provided herein. No such authority shall transact any business or exercise any powers until a certified copy of the resolutions of each participating county board has been submitted to the secretary of state and a certificate of incorporation issued pursuant to section 317.10. *Alternatively, a county may determine by resolution of the county board (without such filing) to exercise the powers granted in this chapter to a rural development finance authority.*

Sec. 10. [362A.041] [APPLICATIONS FOR LOAN GUARANTIES.]

The authority, or a county exercising the powers of an authority pursuant to section 362A.01, may undertake or participate in undertaking a project deemed to further the policies and purposes of the agricultural resource loan guaranty program established and described in sections 1 to 6, by applying to the guaranty board for a guaranty by the state of a portion of a loan for the project to be secured by the applicant, or by another eligible borrower.

Sec. 11. Minnesota Statutes 1982, section 362A.05, is amended to read:

362A.05 [AGREEMENTS FOR RESERVATION OF TAX INCREMENTS.]

The authority may enter into an agreement with any county in which a project is to be situated, *or such county if exercising the powers of an authority may adopt a resolution*, under which the increment of taxable value of property (TO BE CREATED BY THE) *constituting an agricultural resource project for which a conditional commitment for a loan guaranty has been made by the state as provided in section 4, subdivision 4, over and above the taxable value of the project site as last finally determined before the project was undertaken*, may be excluded from the taxable value of property on which the mill rate of taxes is computed in every subsequent year, for so long as may be (AGREED) *provided in the loan guaranty*, but the aggregate mill rate of taxes levied by the county and all other taxing districts on other properties in each such year shall be spread also on the incremental taxable value of the project, and the tax resulting therefrom, when collected, shall be remitted to the authority (, AND MAY BE PLEDGED, TOGETHER WITH CHARGES OR SPECIAL ASSESSMENTS, TO PAY OR GUARANTEE THE PAYMENT OF ITS BONDS, OR MAY BE USED BY THE AUTHORITY FOR THE PURPOSES STATED IN SECTION 362A.01, SUBDIVISION 2) *or to the county, as the case may be, for deposit and use in the loan guaranty fund of the state as provided in sections 1 to 6. The tax increment for an agricultural resource project shall be discharged when either of the following occurs: (a) the guaranteed portion of the loan obligation has been satisfied; or (b) the amounts allocated to the project account equal the amount of the guaranteed portion of the outstanding principal and interest on the guaranteed loan or loans. Every county shall have the power by resolution of the county board to do all acts and things necessary for the computation, segregation, and application of tax increments under (AGREEMENTS MADE WITH THE AUTHORITY) the loan guaranty in accordance with this section (THIS SECTION SHALL NOT APPLY WITH RESPECT TO ANY PROJECT ESTABLISHED SUBSEQUENT TO AUGUST 1, 1979.)*

Sec. 12. Minnesota Statutes 1982, section 473F.02, subdivision 3, is amended to read:

Subd. 3. "Commercial-industrial property" means the following categories of property, as defined in section 273.13, excluding that portion of such property (a) which may, by law, constitute the tax base for a tax increment pledged pursuant to sections 462.585 or 474.10, certification of which was requested prior to August 1, 1979, to the extent and while such tax increment is so pledged; (b) which may, by law, constitute the tax base for tax revenues set aside and paid over for credit to a sinking fund pursuant to direction of the city council in accordance with Laws 1963, Chapter 881, as amended, to the extent that such revenues are so treated in any year; (OR) (c) *which may, by law, constitute the tax base for a tax increment pledged pursuant to section 362A.05, whenever certification thereof is requested, to the extent and while such tax increment is so pledged;*

or (d) which is exempt from taxation pursuant to section 272-02:

(a) That portion of class 3 property consisting of stocks of merchandise and furniture and fixtures used therewith; manufacturers' materials and manufactured articles; and tools, implements and machinery, whether fixtures or otherwise.

(b) Class 3h property.

(c) Class 3j property.

(d) That portion of class 4 property which is either used or zoned for use for any commercial or industrial purpose, except for such property which is, or, in the case of property under construction, will when completed be used exclusively for residential occupancy and the provision of services to residential occupants thereof. Property shall be considered as used exclusively for residential occupancy only if each of not less than 80 percent of its occupied residential units is, or, in the case of property under construction, will when completed be occupied under an oral or written agreement for occupancy over a continuous period of not less than 30 days.

If the classification of property prescribed by section 273.13 is modified by legislative amendment, the references in this subdivision shall be to such successor class or classes of property, or portions thereof, as embrace the kinds of property designated in this subdivision.

(e) That property valued and assessed under section 273.13, subdivision 14.

Sec. 13. [APPROPRIATION.]

The sum of \$ _____ is appropriated from the general fund to the agricultural resource loan guaranty board to pay the initial cost of planning and administration of the agricultural resource loan guaranty program.

Sec. 14. [AUTHORIZATION OF BONDS.]

To provide money in the state agricultural resource loan guaranty fund, for the purpose of the program for which this fund is appropriated and dedicated under the provisions of sections 1 to 6, the commissioner of finance may issue bonds of the state in the aggregate amount of \$25,000,000. Before the issuance of any series of such bonds the loan guaranty board shall determine by resolution that the amount to be issued will be needed to make payments due under one or more guaranties executed with respect to outstanding loans in the program, or is needed to maintain within the guaranty fund a balance sufficient in the

judgment of the board to assure compliance by the state with its covenant contained in section 5, subdivision 3. The bonds shall be sold and issued in the manner, upon the terms, and with the effect prescribed by sections 1 to 6 and by the constitution, article XI, sections 4 to 7.

Sec. 15. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act establishing an agricultural resource loan guaranty program, board, and fund, and the terms of guaranties by the state of project loans in the program; appropriating money, taxes, tax increments, and other governmental charges; appropriating money; authorizing the issuance of state bonds; amending Minnesota Statutes 1982, sections 297A.44, subdivision 1; 362A.01, subdivision 1; 362A.05; and 473F.02, subdivision 3; proposing new law coded in Minnesota Statutes, chapters 41A and 362A."

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

The report was adopted.

Rice from the Committee on Appropriations to which was referred:

S. F. No. 428, A bill for an act relating to state government; extending the expiration date of certain advisory committees and councils; repealing certain inactive advisory councils, committees, and task forces; amending Minnesota Statutes 1982, sections 3.9223, subdivision 1; 4.31, subdivision 5; 11A.08, subdivision 4; 15.059, subdivision 5; 16.02, subdivision 28; 16.872, subdivision 3; 21.112, subdivision 2; 41.54, subdivision 2; 52.062, subdivisions 1 and 2; 115A.12, subdivision 1; 121.938; 123.581, subdivision 1; 126.531; 145.919; 145.93, subdivision 3; 145.98, subdivision 1; 148.191, subdivision 2; 152.02, subdivision 13; 155A.06, subdivision 5; 156A.06, subdivision 1; 161.1419, by adding a subdivision; 198.055, by adding a subdivision; 241.64; 241.71; 246.017, subdivision 2; 256B.58; 268.12, subdivision 6; and 507.09; Laws 1975, chapter 235, section 2; Laws 1976, chapter 314, section 3; and Laws 1980, chapter 614, section 192; repealing Minnesota Statutes 1982, sections 16.91; 16.853; 31.60, subdivisions 2 and 3; 43A.31, subdivision 4; 52.061; 52.062, subdivision 3; 82.30; 84.524; 86A.10; 115A.12, subdivision 2; 116J.-04; 121.934; 123.581, subdivisions 2, 3, 4, 5, and 7; 124.215; 128A.03; 129B.09, subdivision 8; 136A.02, subdivision 6; 141.24; 144.011, subdivision 2; 144.571; 144A.17; 144A.55; 145.93, subdivision 2; 151.13, subdivision 2; 152.02, subdivision 11; 184.23;

214.14; 222.65; 245.84, subdivision 4; and 363.04, subdivisions 4, 4a, and 5.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 3.922, is amended to read:

3.922 [INDIAN AFFAIRS (INTERTRIBAL BOARD) COUNCIL.]

Subdivision 1. [CREATION, MEMBERSHIP.] There is created a state Indian affairs (INTERTRIBAL BOARD) *council* to consist of the following ex-officio members: The governor or a member of his official staff designated by him, the commissioner of education, the commissioner of public welfare, the commissioner of natural resources, the commissioner of human rights, the commissioner of energy, planning and development, the commissioner of corrections, the executive director of the Minnesota housing finance agency, the commissioner of iron range resources and rehabilitation, and the commissioner of health each of whom may designate a member of his staff to serve in his place, three members of the state house of representatives appointed by the speaker of the house of representatives, and three members of the state senate appointed by the committee on committees of the senate. Voting members of the (BOARD) *council* shall be: the duly elected tribal chairmen of the Fond du Lac reservation business committee; the Grand Portage reservation business committee; the Mille Lacs reservation business committee; the White Earth reservation business committee; the Bois Forte (Nett Lake) reservation business committee; the Leech Lake reservation business committee; the Red Lake tribal council; the Upper Sioux board of trustees; the Lower Sioux tribal council; the Shakopee-Mdewankanton general council; the Prairie Island tribal council; and two members to be selected pursuant to subdivision 2. The chairmen of the above Indian committees, trusts, or councils may designate in writing a member who shall have been elected at large to an office in the committee, trust, or council, to serve in his place. (BOARD) *Council* members appointed to represent the state house of representatives, the state senate or tribal governments shall no longer serve on the (BOARD) *council* at such time as they are no longer members of the bodies which they represent, and upon such circumstances, their offices shall be vacant. A member who is a designee of a tribal chairman shall cease to be a member at the end of the term of the tribal chairman who designated him. Ex-officio members or their designees on the (BOARD) *council* shall not be voting members of the (BOARD) *council*.

Subd. 2. [ADDITIONAL MEMBERS.] Two members of the (BOARD) *council* shall be elected at large by Indian residents of Minnesota who (1) are legal members and eligible voters of a federally recognized tribe in accordance with the criteria of said tribe and (2) are not members of any federally recognized tribe with a reservation in Minnesota. The election of at large members shall be in a manner prescribed by the secretary of state with the first such election for at large members to take place at a reasonable time, but no later than April 14, 1977. The manner of election, certification, and contest shall, insofar as reasonably possible, be consistent with procedures employed in general elections in the state so as to insure a fair election and ready access to the election process by eligible voters. The voting procedure shall include voting by absentee ballot. A person shall be eligible to serve as an at large member of the (BOARD) *council* if at the time of the election he is a qualified voter within the requirements of the Minnesota Constitution, Article VII and a member of a federally recognized tribe that does not have a reservation in Minnesota. The at large election described herein shall be certified and regulated by the secretary of state. The term for at large members elected in 1977 shall expire on April 20, 1981. At large elections shall be held no later than April 14, 1981, and no later than every fourth April 14 thereafter, and the term of office for at large members shall be four years commencing on the April 20 following each at large election and ending at 12:01 a.m., April 20 four years thereafter.

Subd. 3. [COMPENSATION; EXPENSES.] Compensation of nonlegislator members shall be as provided (FOR OTHER ADMINISTRATIVE BOARDS IN CHAPTER 15) in section 15.059. Expenses of the (BOARD) *council* shall be approved by two of any three members of the (BOARD) *council* designated by the (BOARD) *council* and shall then be paid in the same manner as other state expenses are paid. The commissioner of finance shall be informed in writing by the executive secretary of the names of the persons authorized to approve expenses.

Subd. 4. [MEETINGS.] Meetings may be called by the chairman or at the written request of five members of the (BOARD) *council*. A majority of the voting members of the (BOARD) *council* constitutes a quorum.

Subd. 5. [OFFICERS, PERSONNEL.] The (BOARD) *council* shall annually elect a chairman and such other officers as it may deem necessary. The chairman shall have the authority to appoint subcommittees necessary to fulfill the duties of the (BOARD) *council*. It shall also employ, and prescribe the duties of such clerks, employees, and agents as it deems necessary. The chairman shall be an ex-officio member of the state board of human rights. The appropriations and other funds of this (BOARD) *council* are subject to the provisions of chapter 16. The (BOARD) *council* shall maintain its primary office in

Bemidji and shall also maintain personnel and office space in St. Paul.

Subd. 6. [DUTIES.] The primary duties of the (BOARD) *council* shall be to:

(1) Clarify for the legislature and state agencies the nature of tribal governments, the relationship of tribal governments to the Indian people of Minnesota;

(2) Assist the secretary of state in establishing an election of at large members of the (BOARD) *council*;

(3) Make recommendations to members of the legislature on desired and needed legislation for the benefit of the statewide Indian community and communicate to the members of the legislature when legislation has or will have an adverse effect on the statewide Indian community;

(4) Provide, through the elected apparatus of the (BOARD) *council*, an effective conduit for programs, proposals and projects to the legislature submitted by tribal governments, organizations, committees, groups or individuals;

(5) Provide a continuing dialogue with members of the appropriate tribal governments in order to improve their knowledge of the legislative process, state agencies and governmental due process;

(6) Assist in establishing Indian advisory councils in cooperation with state agencies delivering services to the Indian community;

(7) Assist state agencies in defining what groups, organizations, committees, councils or individuals are eligible for delivery of their respective services;

(8) Assist in providing resources, tribal and other, in the delivery of services to the statewide Indian community;

(9) Act as a liaison between local, state and national units of government in the delivery of services to the Indian population of Minnesota;

(10) Assist state agencies in the implementation and updating of studies of services delivered to the Indian community;

(11) Provide, for the benefit of all levels of state government, a continuing liaison between those governmental bodies and duly elected tribal governments and officials;

(12) Interreact with private organizations involved with Indian concerns in the development and implementation of programs designed to assist Indian people, insofar as they affect state agencies and departments; and

(13) Act as an intermediary, when requested and if necessary between Indian interests and state agencies and departments when questions, problems or conflicts exist or arise.

Subd. 7. [STATE OFFICIALS AND DEPARTMENTS; CO-OPERATION.] In carrying out these objectives and to ascertain Indian needs the (BOARD) *council* shall have the right to confer with state officials and other governmental units, and to have access to such records as are necessary to obtain needed information. The (BOARD) *council* also shall have the right to call upon various state departments for such technical advice and service as are needed to fulfill the purposes of the (BOARD) *council*.

Subd. 8. [ADVISORY (COUNCIL) TASK FORCE.] (THERE IS CREATED) *The board may create an advisory (COUNCIL) task force* on urban Indians to advise the board on the unique problems and concerns of Minnesota Indians who are residing in urban areas of the state. (THE COUNCIL SHALL BE) *If appointed (BY) the (BOARD AND) task force* shall consist of five Indians residing in the vicinity of Minneapolis, St. Paul and Duluth. At least one member of the (COUNCIL) *task force* shall be a resident of each of the aforementioned cities. (THE COUNCIL SHALL EXPIRE, AND) The terms, compensation and removal of members *of the task force* shall be as provided in section 15.059.

Subd. 9. [ANNUAL REPORT.] The (BOARD) *council* shall make an annual report to the governor and the legislature on its activities, its findings, and its recommendations prior to November 15 in each year.

Sec. 2. Minnesota Statutes 1982, section 4.31, subdivision 5, is amended to read:

Subd. 5. The (GOVERNOR SHALL) *commissioner of administration may* appoint an advisory (COMMITTEE) *task force* of not more than 21 members, *including* at least one member from each economic development region (, TO ADVISE AND MAKE RECOMMENDATIONS TO HIM AND THE DIRECTOR OF VOLUNTEER SERVICES. NOTWITHSTANDING THIS NUMERICAL LIMITATION, MEMBERS CURRENTLY SERVING ON AN ADVISORY GROUP TO THE GOVERNOR'S OFFICE OF VOLUNTEER SERVICES SHALL COMPLETE THEIR PRESCRIBED TERMS OF OFFICE; THEREAFTER, APPOINTMENTS OF SUCCESSORS SHALL BE MADE SO AS TO BE CONSISTENT WITH THE NUMERI-

CAL LIMITATION CONTAINED IN THIS SECTION.) *Expiration*, membership terms, compensation, removal and filling of vacancies of members of the (ADVISORY COMMITTEE) *task force* shall be as provided in section 15.059 (; PROVIDED, THAT MEMBERS SHALL NOT BE ELIGIBLE FOR A PER DIEM).

Sec. 3. Minnesota Statutes 1982, section 11A.08, subdivision 1, as amended by Laws 1982, Third Special Session, chapter 1, article II, section 3, is amended to read:

Subdivision 1. [MEMBERSHIP.] (THERE IS CREATED) *The board may create an investment advisory (COUNCIL CONSISTING) task force. If the board creates a task force it shall consist of ten members who are experienced in general investment matters and who shall be appointed by the state board; the commissioner of finance; the executive directors of each of the following: the Minnesota state retirement system, the public employees retirement association, the teachers retirement association; a retiree currently receiving benefits from the post retirement investment fund; and two public employees who are active members of funds whose assets are invested by the state board. The retiree and the public employees shall be appointed by the (GOVERNOR FOR FOUR YEAR TERMS) state board.*

Sec. 4. Minnesota Statutes 1982, section 11A.08, subdivision 4, is amended to read:

Subd. 4. [TERMS; COMPENSATION; REMOVAL; VACANCIES.] *The expiration of the task force and the membership terms, compensation and removal of members appointed by the state board, and filling of vacancies (OF SUCH MEMBERS) shall be as provided in section 15.059 (EXCEPT THAT COUNCIL MEMBERS SHALL NOT RECEIVE A PER DIEM).*

Sec. 5. Minnesota Statutes 1982, section 11A.08, subdivision 5, is amended to read:

Subd. 5. [LIABILITY; INDEMNIFICATION.] *A member of the (COUNCIL) task force shall be indemnified and held harmless by the state for any reasonable costs or expenses incurred as a result of any actual or threatened litigation or administrative proceedings arising out of the performance of the member's duties, except an action brought by the state or agency thereof arising from the failure of a (COUNCIL) task force member to perform duties in the manner prescribed in section 11A.09.*

Sec. 6. Minnesota Statutes 1982, section 11A.08, subdivision 6, is amended to read:

Subd. 6. [CONFLICT OF INTEREST; ECONOMIC INTEREST STATEMENT.] *No member of the (COUNCIL)*

task force may participate in deliberations or vote on any matter before the (COUNCIL) *task force* which will or is likely to result in direct, measurable economic gain to the member. Additionally, no member of the (COUNCIL) *task force* appointed by the state board may participate in deliberations or vote on any matter before the (COUNCIL) *task force* which will or is likely to result in direct, measurable economic gain to his employer. Members of the (COUNCIL) *task force* shall file with the board of ethical practices an economic interest statement in a manner as prescribed by section 10A.09, subdivisions 5 and 6.

Sec. 7. Minnesota Statutes 1982, section 15.059, subdivision 6, is amended to read:

Subd. 6. [ADVISORY TASK FORCES.] *If the existence of an advisory task (FORCES CREATED AFTER JULY 1, 1975 AND GOVERNED BY THIS SUBDIVISION) force is mandated by statute, the task force shall expire on the date specified in the enabling legislation. If no expiration date is specified, the task force shall expire two years after the effective date of the act creating the advisory task force (OR THE DATE OF APPOINTMENT OF THE MEMBERS, WHICHEVER IS LATER, UNLESS A SHORTER TERM IS SPECIFIED IN STATUTE). If the existence of a task force is authorized but not mandated by statute, the task force shall expire at the pleasure of the person or group which creates the task force, or two years after the first members of the task force are appointed, whichever is sooner. A person or group with discretionary authority to create a task force may create another task force to continue the work of a task force which expires, unless prohibited by other law.*

Members of advisory task forces shall not receive the \$35 per diem specified in this section but shall receive expenses in the same manner and amount as (STATE EMPLOYEES) provided in the commissioner's plan under section 43A.18, subdivision 2. Members appointed to these advisory task forces shall serve until the expiration date of the advisory task force and may be removed pursuant to subdivision 4.

Sec. 8. Minnesota Statutes 1982, section 16.02, subdivision 28, is amended to read:

Subd. 28. To provide an employee assistance program comprised of training, diagnostic and referral services for state employees and their dependents. (IN CONJUNCTION WITH THE PROGRAM, THE GOVERNOR SHALL APPOINT AN ADVISORY COMMITTEE ON STATE EMPLOYEE ASSISTANCE CONSISTING OF NOT MORE THAN 15 MEMBERS. THE COMMITTEE, WHICH SHALL BE SUBJECT TO THE PROVISIONS OF SECTION 15.059, SHALL ADVISE THE COMMISSIONER REGARDING THE OPERATIONAL POLICIES OF THE EMPLOYEE ASSISTANCE PROGRAM.)

Sec. 9. Minnesota Statutes 1982, section 16.872, is amended to read:

Subdivision 1. The commissioner of administration may accept, on behalf of the state, on such terms and conditions as the donor may prescribe, a building to be used as (A STATE CEREMONIAL BUILDING) *the governor's residence*. (SUCH) *This* building shall be used for official ceremonial functions of the state, and space shall be provided for suitable living quarters for the governor of the state.

Subd. 2. The commissioner of administration shall maintain (SUCH) *the* building in the same manner as other state buildings are maintained and shall rehabilitate, decorate, and furnish (SUCH CEREMONIAL) *the* building (, AND). (IN CARRYING OUT SUCH) *The* decoration and furnishing shall be guided by the (STATE CEREMONIAL BUILDING COUNCIL) *governor's residence council*.

Subd. 3. The (STATE CEREMONIAL BUILDING COUNCIL) *governor's residence council* consists of the following 15 members: the commissioner of administration; the spouse, or a *designee* of the governor; the executive director of the board of arts; the director of the Minnesota historical society; a member of the senate appointed pursuant to the rules of the senate; a member of the house of representatives appointed pursuant to the rules of the house of representatives; seven persons appointed by the governor including one in the field of higher education, one member of the American Society of Interior Designers, Minnesota chapter, one member of the American Institute of Architects, Minnesota chapter, one member of the American Society of Landscape Architects, Minnesota chapter; one member of the family that donated the ceremonial building to the state, if available, and four public members. Members of the council serve without compensation. Membership terms, removal, and filling of vacancies for members appointed by the governor are governed by section 15.0575. The council shall elect a chairman and a secretary from among its members.

Subd. 4. The powers and duties of the council are:

(1) To develop an overall restoration plan for the (STATE CEREMONIAL BUILDING) *governor's residence* and surrounding grounds;

(2) To approve alterations in the existing structure as the council deems appropriate; and

(3) Notwithstanding the gift acceptance procedures of sections 7.09 to 7.12, to solicit contributions for and maintain and improve the quality of furnishings for the public areas of the building by accepting gifts of, or acquiring with donated money, furnishings, objects of art, and other items that the council deter-

mines may have historical value in keeping with the period and purpose of the building.

Gifts for the benefit of the (STATE CEREMONIAL BUILDING AND) *governor's residence and* surrounding grounds are not accepted by the state unless accepted by the council. The council shall maintain a complete inventory of all gifts and articles received.

Sec. 10. Minnesota Statutes 1982, section 16.90, subdivision 4, is amended to read:

Subd. 4. The commissioner (, AFTER CONSULTATION WITH THE STATE INFORMATION SYSTEMS ADVISORY COUNCIL AND THE INTERGOVERNMENTAL INFORMATION SYSTEMS ADVISORY COUNCIL,) shall design and maintain a master plan for information systems in the state and its political subdivisions and shall report thereon to the governor and legislature at the beginning of each regular session; establish standards for information systems; maintain a library of systems and programs developed by the state and its political subdivisions for use by agencies of government; and administer the communications for the state information system.

Sec. 11. Minnesota Statutes 1982, section 16.91, is amended to read:

16.91 [STATE INFORMATION SYSTEMS ADVISORY COUNCIL.)

(TO EFFECTUATE AND FACILITATE THE PURPOSES AND PROVISIONS OF SECTIONS 16.90 TO 16.96.) The (GOVERNOR SHALL) *commissioner may* appoint a state information systems advisory (COUNCIL, WHICH SHALL) *task force* to assist the department in the development and coordination of a state information services master plan and make recommendations from time to time to the commissioner concerning the progress, direction and needs of the state's computerization effort. The (COUNCIL) *task force* shall expire and the terms, compensation and removal of members shall be as provided in section 15.059.

Sec. 12. Minnesota Statutes 1982, section 16.911, is amended to read:

Subdivision 1. The governor shall appoint an intergovernmental information systems advisory council, to serve at his pleasure, consisting of 25 members. (SUCH COUNCIL) *Fourteen members shall be appointed or elected officials of local governments, seven shall be representatives of state agencies, and four shall be selected from the community at large. Further, the council shall be composed of (a) two members from each of the*

following groups: Counties outside of the seven county metropolitan area, (COUNTIES WITHIN THE METROPOLITAN AREA, CITIES OF THE FIRST CLASS, MUNICIPALITIES), cities of the second and third class outside the metropolitan area (AND MUNICIPALITIES), cities of the second and third class within the metropolitan area, and cities of the fourth class; (b) one member from each of the following groups: The metropolitan council, an outstate regional body, (MINNESOTA HIGHER EDUCATION COORDINATING BOARD, SCHOOL DISTRICTS LOCATED IN) counties within the metropolitan area, cities of the first class, school districts in the metropolitan area, and school districts outside the metropolitan area; (c) one member from each of the state departments of administration, education, energy, planning and development, legislative auditor, public welfare, and revenue; (d) one member from the office of the state auditor; and (e) four members from the state community at large. To the extent permitted by available resources the commissioner shall furnish staff and other assistance as requested by the council. The (COUNCIL SHALL EXPIRE AND THE) terms, compensation and removal of members of the advisory council shall be as provided in section 15.059.

Subd. 2. The council shall: assist the commissioner in the development and updating of (AN) intergovernmental information systems (MASTER PLAN), including data definitions, format, and retention standards (AND PROGRAM BUDGETING SYSTEMS AND STANDARDS); (RECOMMENDING) recommend to the commissioner policies and procedures governing the collection, security, and confidentiality of data; review (AND COMMENT ON ALL APPLICATIONS FOR FEDERAL OR FOUNDATION FUNDING FOR) intergovernmental information (SYSTEMS) and (ON ALL) computer systems involving intergovernmental funding; encourage cooperative efforts among local governments in developing information systems to meet individual and collective, operational, and external needs; bring about the necessary degree of standardization consistent with local prerogatives; yield fiscal and other information required by state and federal laws and regulations in readily usable form; foster the efficient use of available federal, state, local, and private resources for the development of systems; keep local governments abreast of the state of the art in information systems and prepare guidelines for intergovernmental systems.

Subd. 3. The intergovernmental informations systems advisory council shall (a) develop recommendations to the (COMMISSIONER) commissioners of (REVENUE) state departments, the legislative auditor, and the state auditor for the expeditious gathering and reporting of the information and data (SPECIFIED HEREIN) between state and local governmental agencies in accordance with cooperatively developed standards; (b) elect an executive committee, not to exceed seven members from its membership; (c) develop an annual plan, to include administration and evaluation of grants, in compliance with ap-

pliable rules; (d) provide technical information systems assistance or guidance to local governments for development, implementation, and modification of automated systems, including formation of consortiums for those systems.

Subd. 4. (THE STATE AND EACH UNIT OF LOCAL GOVERNMENT INCLUDING SCHOOL DISTRICTS SHALL REPORT THE FOLLOWING DATA, TO THE EXTENT FEASIBLE, AND SUCH DATA SHALL BE COMPILED AND REPORTED BY THE COMMISSIONER:)

((A) THE INCIDENCE, RATES, DISTRIBUTION, EXEMPTION FROM AND TOTAL REVENUE RAISED OF STATE AND LOCAL SALES, PROPERTY, INCOME TAXES, SPECIAL ASSESSMENTS AND OTHER REVENUE SOURCES OF THE STATE AND EACH UNIT OF LOCAL GOVERNMENT;)

((B) THE BONDED INDEBTEDNESS OF LOCAL UNITS OF GOVERNMENT AND THE RELATIONSHIP OF SUCH DEBT TO STATUTORY DEBT LIMITS;)

((C) THE DISTRIBUTION OF THE STATE FUNDS, BY CATEGORY, TO EACH LOCAL UNIT OF GOVERNMENT;)

((D) THE AMOUNTS OF STATE AND FEDERAL GRANT-IN-AID ASSISTANCE TO EACH LOCAL UNIT OF GOVERNMENT AND STATE AGENCIES BY CATEGORY;)

((E) AND SUCH OTHER INFORMATION AS THE COMMISSIONER MAY REQUIRE) *Appropriations and other funds made available to the council for staff, operational expenses, and grants must be administered through the Department of Administration. Revenues derived from royalties, reimbursements, or other fees from software programs, systems, or technical services arising out of activities funded by current or prior state appropriations is appropriated to the council for the purposes enumerated in subdivision 2.*

(SUBD. 5. THE COMMISSIONER SHALL PROMULGATE RULES REGULATING THE REPORTING AND GATHERING OF SUCH DATA AND THE RULES SHALL PROVIDE, TO THE MAXIMUM DEGREE POSSIBLE, THAT DATA IS REPORTED IN A FORM READILY PROCESSED BY OR CONVERTIBLE TO EDP TECHNIQUES UTILIZED BY THE COMMISSIONER OR STATE AUDITOR.)

(SUBD. 6. DATA COLLECTED AND COMPILED PURSUANT TO THE RULES SHALL BE AVAILABLE TO ANY STATE OR LOCAL OFFICIAL AND EMPLOYEE AND ANY PRIVATE PERSON UNDER SUCH REASONABLE CONDITIONS AND FEES AS THE COMMISSIONER SHALL PRESCRIBE. COMPILATIONS OF SUCH DATA BY THE COM-

MISSIONER SHALL BE IN A REASONABLE FORM AND AVAILABLE NOT LATER THAN APRIL 1 OF EACH YEAR. REPORTING PERIODS FOR THE STATE AND EACH LOCAL UNIT OF GOVERNMENT SHALL BE FROM JANUARY 1 TO JUNE 30 AND FROM JULY 1 TO DECEMBER 31.)

Sec. 13. Minnesota Statutes 1982, section 21.112, subdivision 2, is amended to read:

Subd. 2. [ADVISORY SEED POTATO CERTIFICATION (COMMITTEE) TASK FORCE.] (HE SHALL) *The commissioner may* appoint an advisory seed potato certification (COMMITTEE TO CONSIST OF SIX MEMBERS, EACH OF WHOM) *task force. If the task force is appointed each member shall be a grower in Minnesota of certified seed potatoes (, AND SHALL SERVE WITHOUT COMPENSATION, EXCEPT HE SHALL RECEIVE HIS TRAVELING EXPENSES AND OTHER EXPENSES NECESSARY IN ATTENDING COMMITTEE MEETINGS. THE TERM OF EACH COMMITTEE MEMBER SHALL BE THREE YEARS FROM JULY 1 FOLLOWING HIS APPOINTMENT, EXCEPT THAT OF THE FIRST COMMITTEE TO BE APPOINTED, TWO MEMBERS SHALL SERVE ONE YEAR, TWO MEMBERS SHALL SERVE TWO YEARS AND TWO MEMBERS SHALL SERVE THREE YEARS. VACANCIES SHALL BE FILLED BY THE COMMISSIONER FOR THE BALANCE OF THE VACANT TERM. SAID COMMITTEE SHALL HOLD AT LEAST ONE MEETING EACH YEAR AND OTHER MEETINGS WHEN DEEMED NECESSARY BY THE COMMISSIONER). The task force shall expire, and the terms, compensation and removal of members shall be as provided in section 15.059.*

Sec. 14. Minnesota Statutes 1982, section 43A.31, subdivision 4, is amended to read:

Subd. 4. [INSURANCE ADVISORY (COUNCIL) TASK FORCE.] The commissioner (SHALL) *may* appoint and serve as chairman of an insurance advisory (COUNCIL) *task force* consisting of (11) 12 members. (TWO) *Three* members shall be selected from names submitted by exclusive representatives of state employees. One member shall be selected from names submitted by exclusive representatives of employees of the University of Minnesota. One member shall be selected from names submitted by organizations representing retired state employees. One member shall be selected from names submitted by the regents of the University of Minnesota. The commissioners of administration, insurance, health and finance, and the deputy commissioner for labor relations or their designees, shall serve as the other members. Except as provided in this section, the provisions of section 15.059 shall apply to the members of the (COUNCIL) *task force*. The (COUNCIL) *task force* shall advise the commissioner in (THE SELECTION OF CARRIERS) *matters relating to insurance, including the administration, design, and financing of insurance programs. Evidence of discussions,*

recommendations or decisions by the council shall not be submitted to any court or arbitrator in any matter involving state or University of Minnesota employees.

Sec. 15. Minnesota Statutes 1982, section 45.17, subdivision 6, is amended to read:

Subd. 6. (THERE IS HEREBY CREATED THE BOARD OF) *The director of consumer services may appoint a residential utility consumers task force whose duties (SHALL) may include:*

(1) Establishing policy guidelines concerning the utility related activities of the commerce department's consumer services section;

(2) Reviewing and commenting upon the section's staff employment decisions related to performing the responsibilities conferred in this section; and

(3) Annually reviewing and commenting upon the consumer services section's budget of estimated expenses for utility related activities.

If appointed the (BOARD) task force shall consist of nine (VOTING) members to be appointed by the (GOVERNOR) director. At least one member shall represent each congressional district, and at least two members shall represent farm consumers. No more than six members shall be members of the same political party. In making appointments, the (GOVERNOR) director shall give consideration to individuals having a special interest in the provision of utility services to residential consumers.

The (BOARD) *task force* members shall elect from among their number a chairman and any other officers as it may deem necessary. The (BOARD) *task force* shall meet at the call of the chairman or the director. The *expiration, terms of office, compensation, and provisions for removal and filling vacancies of members* shall be as provided in section (15.0575) 15.059.

(THE DIRECTOR OF THE CONSUMER SERVICES SECTION SHALL SUBMIT AN ANNUAL BUDGET OF ESTIMATED EXPENSES TO THE BOARD FOR REVIEW AND COMMENT. THE DIRECTOR SHALL ALSO PERIODICALLY SEEK THE ADVICE OF THE BOARD CONCERNING ITS OPERATIONS RELATED TO THE RESPONSIBILITIES CONFERRED BY THIS SECTION.) The director shall (ALSO) file an annual report of the section's utility related activities with (THE BOARD AND) the legislature on or before December 31 of each year.

Sec. 16. Minnesota Statutes 1982, section 52.061, is amended to read:

52.061 [CREDIT UNION ADVISORY (COUNCIL) TASK FORCE.]

(THERE IS ESTABLISHED) *The commissioner of banks may appoint a credit union advisory (COUNCIL) task force to consult with, advise, and make recommendations to the commissioner (OF BANKS) in all matters pertaining to credit unions. If created, the advisory (COUNCIL) task force shall consist of five members who shall be appointed by the commissioner (OF BANKS) and who shall be persons who have had three or more years of experience as a credit union officer, director or committee member. To aid in making a selection of the five advisory (COUNCIL) task force members, the Minnesota league of credit unions may submit a list of not less than 15 names; however, the commissioner (OF BANKS) shall not be limited to this list in making his selections. (THE CHAIRMAN OF THE ADVISORY COUNCIL SHALL BE ELECTED ANNUALLY BY AND FROM ITS MEMBERS. MEETINGS SHALL BE HELD AT THE TIMES AND PLACES DETERMINED BY THE CHAIRMAN AND THE COMMISSIONER OF BANKS. MEETINGS MAY BE CALLED BY EITHER THE CHAIRMAN OR THE COMMISSIONER OF BANKS. THREE MEMBERS OF THE ADVISORY COUNCIL SHALL CONSTITUTE A QUORUM. HOWEVER, AT LEAST THREE AFFIRMATIVE VOTES SHALL BE NEEDED TO PASS ANY MOTION. THE AUTHORITY AND RESPONSIBILITY OF THE ADVISORY COUNCIL SHALL BE TO ADVISE THE GOVERNOR AND THE COMMISSIONER OF BANKS ON PROBLEMS CONCERNING CREDIT UNIONS AND TO FOSTER THE INTEREST AND COOPERATION OF CREDIT UNIONS IN IMPROVING THEIR METHODS OF OPERATION.)* The commissioner (OF BANKS) may review with the advisory (COUNCIL) *task force* the records of the banking division concerning the supervision, regulation, and examination of credit unions. The (COUNCIL) *task force expiration, terms, compensation, and removal of members shall be as provided in section 15.059.*

Sec. 17. Minnesota Statutes 1982, section 82.30, subdivision 1, is amended to read:

Subdivision 1. (THERE SHALL BE) *The commissioner of real estate and securities shall appoint a real estate advisory (COUNCIL OF SEVEN MEMBERS TO BE APPOINTED BY THE COMMISSIONER OF SECURITIES AND REAL ESTATE) task force. (FIVE MEMBERS) The task force shall (BE) include real estate brokers with at least five years experience as licensed real estate brokers in Minnesota and (TWO MEMBERS SHALL BE) public members. (THEY SHALL MEET AT THE CALL OF THE COMMISSIONER ON A QUARTERLY BASIS AT PUBLICIZED SESSIONS*

AND AT SUCH OTHER TIMES AS THE COMMISSIONER MAY DEEM NECESSARY AND) *The task force may advise (AND CONSULT WITH HIM) the commissioner on all matters relating to education of licensees, preclicensing requirements, and (SUCH) other (MAJOR) policy matters relating to the administration of sections 82.17 to 82.34. The (COUNCIL) task force shall expire and the terms, compensation, and removal of members shall be as provided in section 15.059. No member of the real estate advisory (COUNCIL) task force may establish, own, operate, invest in a course designed to fulfill any requirement of Minnesota law pertaining to licenses for real estate salespersons or brokers.*

Sec. 18. Minnesota Statutes 1982, section 84.524, subdivision 1, is amended to read:

84.524 [CITIZEN'S ADVISORY TASK FORCE ON THE BOUNDARY WATERS CANOE AREA.]

Subdivision 1. (THERE IS CREATED) *The commissioner of natural resources may create a citizen's advisory task force on the Boundary Waters Canoe Area (, CONSISTING OF 17 MEMBERS SELECTED AS FOLLOWS). If the task force is created it shall include the following members:*

(1) Three residents of St. Louis County (APPOINTED BY THE) *force. The (COUNCIL) task force shall advise the commissioner in (THE SELECTION OF CARRIERS) matters relating to insurance, including the administration, design, and financing of insurance be subject to the provisions of section 15.059 (, EXCEPT THAT THE ADVISORY TASK FORCE SHALL NOT EXPIRE UNTIL JUNE 30, 1983).*

Sec. 19. Minnesota Statutes 1982, section 84.524, subdivision 2, is amended to read:

Subd. 2. (THE ADVISORY TASK FORCE SHALL CONDUCT MEETINGS AND RESEARCH INTO ALL MATTERS RELATED TO THE ESTABLISHMENT AND OPERATION OF THE BOUNDARY WATERS CANOE AREA, AND SHALL MAKE SUCH RECOMMENDATIONS TO THE UNITED STATES FOREST SERVICE AND OTHER FEDERAL AND STATE AGENCIES CONCERNED. REGARDING OPERATION OF THE AREA, AS THE ADVISORY TASK FORCE DEEMS ADVISABLE. A COPY OF EACH RECOMMENDATION SHALL BE FILED WITH THE LEGISLATIVE REFERENCE LIBRARY.) *The advisory task force shall not apply for or accept funds from public or private sources other than the legislature. Subject to the availability of legislative appropriation, the advisory task force may contract for services relating to matters within its authority.*

Sec. 20. Minnesota Statutes 1982, section 84B.11, subdivision 1, is amended to read:

Subdivision 1. The governor shall appoint, except for the legislative members, a citizen's (COMMITTEE) *council* on Voyageurs National Park, consisting of (16) 17 members as follows:

Four residents of Koochiching county(, TWO OF WHOM SHALL BE APPOINTED TO TERMS ENDING JANUARY 1, 1979, AND TWO OF WHOM SHALL BE APPOINTED TO TERMS ENDING JANUARY 7, 1980);

Four residents of St. Louis county(, TWO OF WHOM SHALL BE APPOINTED TO TERMS ENDING JANUARY 7, 1980, AND TWO OF WHOM SHALL BE APPOINTED TO TERMS ENDING JANUARY 1, 1979);

(FOUR) *Five* residents of the state at large from outside Koochiching and St. Louis counties(, TWO OF WHOM SHALL BE APPOINTED TO TERMS ENDING JANUARY 1, 1979, AND TWO OF WHOM SHALL BE APPOINTED TO TERMS ENDING JANUARY 7, 1980);

Two members of the state senate to be appointed by the committee on committees;

Two members of the state house of representatives to be appointed by the speaker of the house.

The governor shall designate one of the appointees to serve as chairman and the committee may elect such other officers as it deems necessary. Members shall be appointed so as to represent differing viewpoints and interest groups on the facilities included in and around the park. Legislator members shall serve for the term of legislative office to which they were elected. (THE COMMITTEE SHALL EXPIRE AND) The terms, compensation and removal of non-legislator members shall be as provided in section 15.059. *This section is repealed June 30, 1987.*

Sec. 21. Minnesota Statutes 1982, section 86A.10, subdivision 1, is amended to read:

Subdivision 1. [MEMBERSHIP.] *The commissioner of energy, planning and development may appoint an outdoor recreation advisory task force. If appointed each regional development commission and the metropolitan council shall designate one of its members to serve (ON THE OUTDOOR RECREATION ADVISORY COUNCIL, WHICH IS HEREBY CREATED. THE GOVERNOR SHALL APPOINT THE CHAIRMAN OF THE COUNCIL TO SERVE AT HIS PLEASURE). Areas of the state*

not having a regional development commission shall have one representative from each unorganized area appointed by the commissioner. The (COUNCIL) task force shall expire and the terms, compensation, and removal of members shall be as provided in section 15.059.

Sec. 22. Minnesota Statutes 1982, section 116J.04, is amended to read:

116J.04 [ENERGY POLICY DEVELOPMENT (COUNCIL) TASK FORCE.]

(A COUNCIL OF 15 MEMBERS TO ACT IN) *The commissioner may appoint an advisory (CAPACITY) task force on energy policy development (TO THE COMMISSIONER IS CREATED). (MEMBERS SHALL BE APPOINTED BY THE GOVERNOR, WITH THE ADVICE AND CONSENT OF THE SENATE,) If created the task force shall include at least one member from each congressional district (AND SEVEN FROM THE STATE AT LARGE). The (COUNCIL) task force members shall broadly represent the scientific, technical, educational, business and labor fields (AND AT LEAST FOUR MEMBERS SHALL BE FROM EDUCATIONAL AND SCIENTIFIC RESEARCH INSTITUTIONS). The (COUNCIL) task force shall develop recommendations on policy for energy issues and energy needs and shall advise the commissioner on the energy related functions of the department. (THE COMMISSIONER SHALL REPORT TO THE LEGISLATURE ON THE MAJOR ENERGY POLICY RECOMMENDATIONS OF THE COUNCIL. THE COUNCIL SHALL ORGANIZE AND ELECT AMONG ITS MEMBERS SUCH OTHER OFFICERS AS IT MAY DEEM NECESSARY. THE COUNCIL SHALL MEET AT THE CALL OF THE CHAIR.) The expiration, terms, compensation, and removal of members shall be as provided by section 15.059. (THE COUNCIL MAY ADVISE THE COMMISSIONER ON THE TRANSFER OF ENERGY AGENCY PERSONNEL AND FUNCTIONS.)*

Sec. 23. Minnesota Statutes 1982, section 121.87, subdivision 1, is amended to read:

Subdivision 1. (A 25 MEMBER STATE) *The state board of education may appoint a community education advisory (COUNCIL SHALL BE ESTABLISHED) task force for the purpose of promoting the furtherance of sections 121.85 to 121.88, and the advancement of educational, recreational and social opportunity throughout the maximum utilization of public school facilities throughout the state of Minnesota. (THE COUNCIL SHALL BE) If appointed (BY THE GOVERNOR AND), the task force shall (CONSIST OF TWO LAY MEMBERS) include at least one member from each congressional district and (NINE) members (SELECTED AT LARGE) who (SHALL) represent gov-*

ernment and professions most closely related to community education activities, functions and school administrative jurisdictions.

Sec. 24. Minnesota Statutes 1982, section 121.87, subdivision 3, is amended to read:

Subd. 3. (CLERICAL, MAILING, PRINTING, AND OTHER JUSTIFIABLE EXPENSES INCURRED BY THE COUNCIL SHALL BE PAID FROM FUNDS SET ASIDE FOR THE ADMINISTRATION OF THE OFFICE OF THE DIRECTOR OF COMMUNITY EDUCATION PROGRAMS.) The (COUNCIL) *task force* shall expire and the terms, compensation, and removal of members shall be as provided in section 15.059.

Sec. 25. Minnesota Statutes 1982, section 121.902, subdivision 1, is amended to read:

Subdivision 1. (THE COUNCIL SHALL RECOMMEND TO THE STATE BOARD UNIFORM FINANCIAL ACCOUNTING AND REPORTING STANDARDS FOR SCHOOL DISTRICTS.) The state board shall adopt and maintain uniform financial accounting and reporting standards which are consistent with sections 121.90 to 121.92 and with generally accepted accounting principles and practices. The standards so adopted shall be known as the uniform financial accounting and reporting standards for Minnesota school districts.

Sec. 26. Minnesota Statutes 1982, section 121.902, subdivision 1a, is amended to read:

Subd. 1a. (BY JULY 1, 1982, THE COUNCIL SHALL RECOMMEND TO THE STATE BOARD UNIFORM PROPERTY ACCOUNTING AND REPORTING STANDARDS FOR AREA VOCATIONAL-TECHNICAL INSTITUTES.) The state board shall adopt and maintain uniform property accounting and reporting standards for area vocational-technical institutes to account and report individual property records for fixed assets. These standards shall include provisions for date of acquisition, historical cost, depreciated value, expected useful life, and replacement cost.

Sec. 27. Minnesota Statutes 1982, section 121.934, subdivision 2, is amended to read:

Subd. 2. [MEMBERSHIP.] (THE COUNCIL SHALL BE COMPOSED OF) *If created, the task force shall include the following:*

(a) (FOUR) Representatives of school districts (, INCLUDING ONE SCHOOL DISTRICT ADMINISTRATOR FROM A RURAL SCHOOL DISTRICT, ONE SCHOOL DISTRICT AD-

MINISTRATOR FROM AN URBAN SCHOOL DISTRICT, ONE SCHOOL BOARD MEMBER FROM A RURAL SCHOOL DISTRICT, AND ONE SCHOOL BOARD MEMBER FROM AN URBAN SCHOOL DISTRICT);

(b) (TWO) Representatives of regional management information center governing boards (, INCLUDING ONE MEMBER OF A REGIONAL MANAGEMENT INFORMATION CENTER BOARD FROM A REGION WHICH IS PREDOMINANTLY RURAL AND ONE MEMBER OF A REGIONAL MANAGEMENT INFORMATION CENTER BOARD FROM A REGION WHICH IS PREDOMINANTLY URBAN);

(c) (TWO) Persons employed in management positions in the private sector (, AT LEAST ONE OF WHOM IS A DATA PROCESSING MANAGER OR HOLDS AN EQUIVALENT POSITION IN THE PRIVATE SECTOR);

(d) (TWO) Persons employed in management positions in the public sector other than elementary, secondary, or vocational education (, AT LEAST ONE OF WHOM IS A DATA PROCESSING MANAGER OR HOLDS AN EQUIVALENT POSITION IN THE PUBLIC SECTOR); and

(e) (ONE PERSON) *Persons* from the general public.

All the members appointed pursuant to clauses (a), (b) and (e) shall represent different regional management information centers. Members selected pursuant to clauses (c) and (d) shall not be employees or board members of local school districts or the department of education.

Sec. 28. Minnesota Statutes 1982, section 123.581, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT.] Programs for in-service training for regular classroom teachers, assistant principals and principals in techniques of education of handicapped pupils shall be established in school districts designated by the state board of education. Funds for these programs shall be granted by the state board (UPON THE RECOMMENDATION OF THE ADVISORY COUNCIL FOR IN-SERVICE TRAINING IN TECHNIQUES OF EDUCATION OF HANDICAPPED PUPILS). Handicapped pupils for the purposes of this section, are those defined in section 120.03.

Sec. 29. Minnesota Statutes 1982, section 126.531, subdivision 1, is amended to read:

Subdivision 1. The (MINNESOTA INDIAN AFFAIRS INTERTRIBAL BOARD SHALL NOMINATE 15 PERSONS FOR MEMBERSHIP TO THE) *state board of education may create*

an American Indian language and culture education advisory task force. (THE STATE BOARD OF EDUCATION SHALL APPOINT NINE PERSONS FROM THOSE SO NOMINATED TO CONSTITUTE THE TASK FORCE.) *If created*, members shall include representatives of community groups, parents of children eligible to be served by the programs, American Indian administrators and teachers, persons experienced in the training of teachers for American Indian language and culture education programs, persons involved in programs for American Indian children in nonsectarian nonpublic, urban, community, tribal or alternative schools and persons knowledgeable in the field of American Indian language and culture education. Members shall be appointed so as to be representative of significant segments of the population of American Indians.

Sec. 30. Minnesota Statutes 1982, section 128A.03, is amended to read:

128A.03 [ADVISORY COUNCILS.]

Subdivision 1. The state board of education (SHALL) *may* appoint an advisory (COUNCIL) *task force* on the Minnesota school for the deaf and an advisory (COUNCIL) *task force* on the Minnesota braille and sight-saving school (. THESE COUNCILS SHALL) *to* advise the (STATE) board on policies pertaining to the control, management, and administration of these schools.

Subd. 2. (EACH ADVISORY COUNCIL SHALL CONSIST OF EIGHT MEMBERS.) *If created* the members shall be representative of the various geographic regions of the state. shall include parents or guardians of visually disabled or hearing impaired children, shall include a staff representative of the applicable school, and shall include two representatives from groups representing the interests of visually disabled or hearing impaired individuals, as applicable. All members shall have knowledge, experience and interest in the problems of visually disabled or hearing impaired children.

Subd. 3. The (COUNCILS) *task forces* shall expire and the terms, compensation and removal of members shall be as provided in section 15.059.

Sec. 31. Minnesota Statutes 1982, section 129A.02, subdivision 3, is amended to read:

Subd. 3. [CONSUMER ADVISORY COUNCIL.] To assure that consumer concerns are integral parts of the considerations of the department, the commissioner shall establish and appoint a consumer advisory council on vocational rehabilitation which shall be composed of nine members. No fewer than five members of the council shall be handicapped persons, and there shall be one person appointed to the council to represent each of the fol-

lowing: business, labor, education, medicine and the private rehabilitation industry. The remaining members shall be public members. Under the direction of the commissioner, the council shall organize itself and elect a chairman and other officers as it deems appropriate. The council shall meet at the call of the chairman or the commissioner as often as necessary. The (COUNCIL SHALL EXPIRE AND THE) terms, compensation and removal of members shall be as provided in section 15.059.

Sec. 32. Minnesota Statutes 1982, section 129B.09, subdivision 8, is amended to read:

Subd. 8. [ADVISORY TASK FORCE ON EARLY CHILDHOOD AND FAMILY EDUCATION.] The council on quality education (SHALL) *may* appoint an advisory task force on early childhood and family education programs. If appointed, the advisory task force shall be composed of parents of young children and persons knowledgeable in the fields of health, education and welfare. A majority of the task force shall be parents of young children. (THE ADVISORY TASK FORCE SHALL ADVISE THE COUNCIL IN THE ADMINISTRATION OF THE EARLY CHILDHOOD AND FAMILY EDUCATION PROGRAMS.) The *expiration*, terms, compensation, and removal of members shall be governed by the provisions of section 15.059, subdivision 6. (THE TASK FORCE SHALL EXPIRE JUNE 30, 1983.)

Sec. 33. Minnesota Statutes 1982, section 144.011, subdivision 2, is amended to read:

Subd. 2. [STATE HEALTH ADVISORY (COUNCIL) TASK FORCE.] The *commissioner of health may appoint a state health advisory (COUNCIL IS HEREBY CREATED TO CONSIST OF 15 MEMBERS APPOINTED BY THE GOVERNOR) task force.* (NINE) *If appointed*, members of the (COUNCIL) *task force* shall be broadly representative of the licensed health professions and (SIX MEMBERS) shall (BE) *also include* public members as defined by section 214.02. (THE COUNCIL AND ITS MEMBERS SHALL BE GOVERNED BY THE PROVISIONS OF SECTION 15.059. THE GOVERNOR SHALL DESIGNATE A CHAIRMAN OF THE COUNCIL AND SUCH OTHER OFFICERS AS HE DEEMS NECESSARY. THE COUNCIL SHALL ADVISE THE COMMISSIONER OF HEALTH ON ANY MATTER RELATING TO THE FUNCTIONS OF THE DEPARTMENT.) *The task force shall expire, and the terms, compensation, and removal of members shall be as provided in section 15.059.*

Sec. 34. Minnesota Statutes 1982, section 145.93, subdivision 2, is amended to read:

Subd. 2. [ADVISORY (COUNCIL) TASK FORCE.] The commissioner of health (SHALL) *may* appoint an advisory (COUNCIL TO SERVE ON A VOLUNTARY BASIS) *task*

force consisting of, but not limited to, the following: one nurse; one pharmacist; one physician each from the fields of toxicology, pediatric medicine, emergency medicine, and internal medicine; and one person who has no past or present material financial interest or professional involvement in the provision of poison information or treatment services. No more than three members may be residents of the metropolitan area, as defined in section 473.02, subdivision 5; no more than one may be a resident of any single county; and none may be affiliated in any way with the currently designated poison information center. *The task force shall expire and the terms, compensation, and removal of members shall be as provided in section 15.059.*

Sec. 35. Minnesota Statutes 1982, section 145.93, subdivision 3, is amended to read:

Subd. 3. [GRANT AWARD; DESIGNATION; PAYMENTS UNDER GRANT.] Each *odd-numbered* year the commissioner shall give reasonable public notice of the availability of moneys appropriated (PURSUANT TO LAWS 1980, CHAPTER 577, SECTION 2) *or otherwise available for the Minnesota poison information center.* (AFTER CONSULTING WITH THE ADVISORY COUNCIL,) The commissioner shall select as grantee a nonprofit corporation or unit of government which applies for the moneys and best fulfills the criteria specified in subdivision 4. The grantee selected shall be designated the Minnesota poison information center. (MONEYS APPROPRIATED UNDER LAWS 1980, CHAPTER 577, SECTION 2) *The grant shall be paid to the grantee quarterly beginning on July 1.*

Sec. 36. Minnesota Statutes 1982, section 145.98, subdivision 1, is amended to read:

Subdivision 1. [CREATION; MEMBERSHIP.] (THERE IS ESTABLISHED IN THE EXECUTIVE BRANCH A COUNCIL) *The commissioner of health may appoint an advisory task force on health promotion and wellness. Members of the (COUNCIL) task force shall be (APPOINTED BY THE GOVERNOR. THEY SHALL BE) experienced or interested in health promotion and wellness. There shall be (15 MEMBERS WITH) at least one member from each congressional district. (THE INITIAL MEMBERSHIP SHALL INCLUDE ALL PERSONS HOLDING CURRENT MEMBERSHIP ON THE GOVERNOR'S COUNCIL ON HEALTH PROMOTION AND WELLNESS ESTABLISHED BY EXECUTIVE ORDER NO. 81-6. THE CHAIRPERSON SHALL BE APPOINTED BY THE GOVERNOR FROM AMONG THE MEMBERS. MEMBERS SHALL NOT RECEIVE PER DIEM PAY BUT MAY BE REIMBURSED FOR TRAVEL AND OTHER EXPENSES IN THE SAME MANNER AND AMOUNT AS STATE EMPLOYEES.) The task force shall expire, and the terms (OF OFFICE), compensation, and removal of members shall be governed by section (15.0575) 15.059.*

Sec. 37. Minnesota Statutes 1982, section 145.98, subdivision 3, is amended to read:

Subd. 3. [POWERS.] The (COUNCIL) *task force* may solicit, receive, and disburse funds made available for health promotion and wellness. (SUBJECT TO APPROVAL BY THE COUNCIL, THE CHAIRPERSON MAY APPOINT ADVISORY COMMITTEES COMPOSED OF INDIVIDUALS WHO HAVE INTEREST OR EXPERTISE IN VARIOUS HEALTH PROMOTION AND WELLNESS FIELDS. SUBJECT TO THE AVAILABILITY OF FUNDS, THE COUNCIL MAY HIRE STAFF TO ASSIST IN ITS WORK AND CONTRACT WITH INDIVIDUALS AND ORGANIZATIONS TO ASSIST IT IN CARRYING OUT THE DUTIES OF THE COUNCIL. THE COUNCIL SHALL ASSUME THE DUTIES OF THE GOVERNOR'S COUNCIL ON HEALTH PROMOTION AND WELLNESS ESTABLISHED BY EXECUTIVE ORDER NO. 81-6, AND SECTION 15.039 SHALL APPLY TO THIS TRANSFER OF RESPONSIBILITIES.)

Sec. 38. Minnesota Statutes 1982, section 148.191, subdivision 2, is amended to read:

Subd. 2. The board is authorized to adopt and, from time to time, revise rules not inconsistent with the law, as may be necessary to enable it to carry into effect the provisions of sections 148.171 to 148.299. The board shall prescribe by rule curricula and standards for schools and courses preparing persons for licensure under sections 148.171 to 148.299. It shall conduct or provide for surveys of such schools and courses at such times as it may deem necessary. It shall approve such schools and courses as meet the requirements of sections 148.171 to 148.299 and board rules. It shall examine, license and renew the license of duly qualified applicants. It shall hold examinations at least once in each year at such time and place as it may determine. It shall by rule adopt, evaluate and periodically revise, as necessary, requirements for licensure and for registration and renewal of registration as defined in section 148.231. It shall cause the prosecution of all persons violating sections 148.171 to 148.299 and have power to incur such necessary expense therefor. It shall keep a record of all its proceedings. (THE BOARD SHALL APPOINT AN ADVISORY TASK FORCE ON NURSING EDUCATION CONSISTING OF 11 MEMBERS FOR THE PURPOSES OF ADVISING THE BOARD ON MATTERS PERTAINING TO CAREER PROGRESSION AND THE APPROVAL AND OPERATION OF NURSING PROGRAMS, ASSISTING WITH SURVEYS OF NURSING PROGRAMS, COLLECTING NURSING EDUCATION DATA AND PROVIDING LIAISON BETWEEN THE BOARD AND NURSING EDUCATION. THREE MEMBERS SHALL BE EITHER AN ADMINISTRATOR OR SUPERVISOR IN ONE OF THE FOLLOWING TYPES OF AGENCIES AT THE TIME OF APPOINTMENT AND THROUGH-

OUT HIS TERM: HOSPITAL, NURSING HOME OR COMMUNITY NURSING SERVICE. THE REMAINING EIGHT MEMBERS SHALL BE EITHER AN ADMINISTRATOR OR FACULTY MEMBER IN ONE OF THE FOLLOWING TYPES OF EDUCATIONAL PROGRAMS AT THE TIME OF APPOINTMENT AND THROUGHOUT HIS TERM: NURSING ASSISTANT PROGRAM, PRACTICAL NURSING PROGRAM PREPARING FOR LICENSURE, PROFESSIONAL NURSING PROGRAM PREPARING FOR LICENSURE, OR ADVANCED NURSING PROGRAM FOR LICENSED PRACTICAL OR REGISTERED NURSES. THE TASK FORCE SHALL EXPIRE AND THE COMPENSATION AND REMOVAL OF MEMBERS SHALL BE AS PROVIDED IN SECTION 15.059.)

Sec. 39. Minnesota Statutes 1982, section 148.67, is amended to read:

148.67 [PHYSICAL THERAPY COUNCIL.]

The board of medical examiners shall appoint a physical therapy council in carrying out the provisions of this law, regarding the qualifications and examination of physical therapists. The council shall consist of seven members, citizens and residents of the state of Minnesota, composed of three physical therapists, two licensed and registered doctors of medicine and surgery, one being a professor or associate or assistant professor from a program in physical therapy approved by the board of medical examiners, one aide or assistant to a physical therapist and one public member. The (COUNCIL SHALL EXPIRE, AND THE) terms, compensation and removal of members of the council shall be as provided in section 15.059.

Sec. 40. Minnesota Statutes 1982, section 148.70, is amended to read:

148.70 [APPLICANTS, QUALIFICATIONS.]

It shall be the duty of the board of medical examiners (WITH THE ADVICE AND ASSISTANCE OF THE PHYSICAL THERAPY COUNCIL) to pass upon the qualifications of applicants for registration, provide for and conduct all examinations following satisfactory completion of all didactic requirements, determine the applicants who successfully pass the examination, and duly register such applicants after the applicant has presented evidence satisfactory to the board that he has completed a program of education approved by the board.

Sec. 41. Minnesota Statutes 1982, section 149.02, is amended to read:

149.02 [EXAMINATION; LICENSING.]

The state commissioner of health is hereby authorized and empowered to examine, upon submission of an application therefor and fee as prescribed by the commissioner pursuant to section 144.122, all applicants for license to practice mortuary science or funeral directing and to determine whether or not the applicants possess the necessary qualifications to practice mortuary science or funeral directing. If upon examination the commissioner shall determine that an applicant is properly qualified to practice mortuary science or funeral directing, he shall grant a license to the person to practice mortuary science or funeral directing. Licenses shall expire and be renewed as prescribed by the commissioner pursuant to section 144.122.

On or after the thirty-first day of December, 1955, separate licenses as embalmer or funeral director shall not be issued, except that a license as funeral director shall be issued to those apprentices who have been registered under regulations of the commissioner as apprentice funeral directors on the first day of July, 1955, qualify by examination for licensure under such regulations as funeral directors before the first day of August, 1957. Such applicants shall file an application for license as a funeral director in the manner as is required in section 149.03 for a license in mortuary science. It shall be accompanied by a fee in an amount prescribed by the commissioner pursuant to section 144.122. However, a single license as a funeral director shall be issued to those persons whose custom, rites, or religious beliefs forbid the practice of embalming. An applicant for a single license as a funeral director under this exception shall submit to the commissioner of health two affidavits substantiating the beliefs and convictions of the applicant and shall meet any other standards for licensure as are required by law or by regulation of the commissioner. Such a funeral director shall only direct funerals for persons of his customs, rites or religious beliefs. In the case of a funeral conducted for persons of such customs, rites or religious beliefs where embalming and funeral directing is necessary according to law, such embalming and funeral directing shall be performed only by a person licensed to do so in this state.

All licensees who on the thirty-first day of December, 1955, hold licenses as embalmers only shall be granted licenses to practice mortuary science and may renew their licenses at the times and in the manner specified by the commissioner pursuant to section 144.122.

All licensees who on the thirty-first day of December, 1955, hold licenses as funeral director only may continue to renew their licenses at the times and in the manner specified by the commissioner pursuant to section 144.122. If a licensee fails to renew, as in this chapter required, his license as a funeral director shall not thereafter be reinstated.

To assist in the holding of the examination and enforcement of the provisions of this chapter, the commissioner shall establish a committee of examiners in the mortuary sciences to which he shall appoint four examiners. Two examiners shall be licensed in mortuary science and shall have had at least five years experience immediately preceding their appointment in the preparation and disposition of dead human bodies and in the practice of mortuary science. A third examiner shall be a representative of the commissioner, and the fourth examiner shall be a full-time academic staff member of the course in mortuary science of the university of Minnesota. (THE COMMITTEE SHALL EXPIRE AND) The terms, compensation and removal of members of the committee shall be as provided in section 15.059.

Sec. 42. Minnesota Statutes 1982, section 151.13, subdivision 2, is amended to read:

Subd. 2. The board (SHALL) *may* appoint an advisory task force on continuing education, consisting of not more than ten members, to study continuing education programs and requirements and to submit its report and recommendations to the board. The task force shall expire, and the compensation and removal of members shall be as provided in section 15.059.

Sec. 43. Minnesota Statutes 1982, section 152.02, subdivision 11, is amended to read:

Subd. 11. The state board of pharmacy (SHALL) *may* appoint an advisory (COUNCIL) *task force* on controlled substances consisting of not more than 13 members (, WHO SHALL SERVE WITHOUT COMPENSATION,) to advise it in the administration of this chapter.

(COMMENCING JULY 1, 1973, SIX MEMBERS SHALL BE APPOINTED FOR A ONE YEAR TERM AND SEVEN MEMBERS SHALL BE APPOINTED FOR A TWO YEAR TERM. THEREAFTER, MEMBERS SHALL BE APPOINTED FOR TWO YEAR TERMS. FOUR OF THE MEMBERS OF THE COUNCIL) *If appointed, the task force* shall (BE PHYSICIANS AS DESIGNATED BY THE STATE BOARD OF MEDICAL EXAMINERS. ONE OF THE MEMBERS OF THE COUNCIL SHALL BE) *include a physician, a pharmacologist, (ONE OF THE MEMBERS OF THE COUNCIL SHALL BE) and a pharmacist (, AND). The (REMAINDER) other members* shall be from among the following: correction or law enforcement officers, judges, representatives of drug treatment or counseling facilities, former drug abusers, education, and students. (THE MEMBERS OF THE COUNCIL SHALL SELECT A CHAIRMAN FROM AMONG THEIR MEMBERSHIP, WHO MAY CALL MEETINGS OF THE COUNCIL WHEN DEEMED APPROPRIATE, AND SHALL CALL MEETINGS OF THE COUNCIL WHEN REQUESTED TO DO SO BY ANY FOUR MEMBERS OF THE COUNCIL.) *The task force shall expire,*

and the terms, compensation, and removal of members shall be as provided in section 15.059.

Sec. 44. Minnesota Statutes 1982, section 155A.06, subdivision 2, is amended to read:

Subd. 2. [APPOINTMENTS.] Appointments to the council shall be made by the (GOVERNOR) *director* in accordance with section 15.0597.

Sec. 45. Minnesota Statutes 1982, section 156A.06, subdivision 1, is amended to read:

Subdivision 1. There is hereby created the water well contractors and exploratory borers advisory council, herein referred to as the "advisory council," as an advisory council to the state commissioner of health. The advisory council shall be composed of (13) *16* voting members. Of the (13) *16* voting members, one member shall be from the state department of health, appointed by the state commissioner of health; one member shall be from the department of natural resources, appointed by the commissioner of natural resources; one member shall be a member of the Minnesota geological survey of the University of Minnesota appointed by the director; two members shall be engaged in the business of exploratory boring for minerals; two public members who are not connected with the business of exploratory boring or the water well drilling industry; *one member shall be from the pollution control agency, appointed by the director of the pollution control agency; one member shall be a professional engineer; one member shall be a certified professional geologist;* and six members shall be contractors actively engaged in the water well drilling industry, not to exceed two from the seven county metropolitan area and at least four from the remainder of the state who shall be residents of the state of Minnesota and appointed by the commissioner of health. No appointee of the water well drilling industry shall serve *more than two* consecutive terms. The appointees to the advisory council from the water well drilling industry shall have been bona fide residents of this state for a period of at least three years prior to appointment and shall have had at least five years experience in the water well drilling business. (THE COUNCIL SHALL NOT EXPIRE, BUT) The terms of the appointed members and the compensation and removal of all members shall be as provided in section 15.059.

Sec. 46. Minnesota Statutes 1982, section 175.007, subdivision 1, is amended to read:

Subdivision 1. The commissioner shall appoint an advisory council on workers' compensation, which shall consist of five representatives of employers and five representatives of employees; (AND) three members representing the general public; *and two persons who have received or are currently receiving workers'*

compensation benefits under chapter 176. The council may consult with the judges of the workers' compensation court of appeals. The council shall expire and the terms, compensation and removal of members shall be as provided in section 15.059.

Sec. 47. Minnesota Statutes 1982, section 178.02, subdivision 2, is amended to read:

Subd. 2. [TERMS.] The (COUNCIL SHALL EXPIRE AND THE) terms, compensation and removal of appointed members shall be as provided in section 15.059.

Sec. 48. Minnesota Statutes 1982, section 182.656, is amended to read:

182.656 [OCCUPATIONAL SAFETY AND HEALTH ADVISORY (COUNCIL) TASK FORCE.]

Subdivision 1. *The commissioner of labor and industry may appoint an occupational safety and health advisory (COUNCIL CONSISTING OF 12 MEMBERS APPOINTED BY THE GOVERNOR IS CREATED) task force to advise the department. The council members shall be chosen so that (THREE) an equal number shall represent management (; THREE SHALL REPRESENT) and labor; (THREE) others shall represent occupational safety and health professions (;) and (THREE SHALL REPRESENT) the general public.*

(THE GOVERNOR SHALL DESIGNATE ONE OF THE PUBLIC MEMBERS AS CHAIRMAN. THE MEMBERS SHALL BE SELECTED UPON THE BASIS OF THEIR EXPERIENCE AND COMPETENCE IN THE FIELD OF OCCUPATIONAL SAFETY AND HEALTH. THE COMMISSIONER OF LABOR AND INDUSTRY AND THE STATE COMMISSIONER OF HEALTH SHALL BE EX OFFICIO MEMBERS AND THE COMMISSIONER OF LABOR AND INDUSTRY SHALL SERVE AS SECRETARY OF THE COUNCIL. THE COUNCIL SHALL ELECT FROM ITS MEMBERS, BY A CONCURRING VOTE OF NOT LESS THAN SIX MEMBERS, OTHER OFFICERS AS NECESSARY TO CARRY OUT THE DUTIES THEREOF.)

Subd. 3. (A MAJORITY OF THE COUNCIL MEMBERS CONSTITUTES A QUORUM. THE COUNCIL SHALL MEET AT THE CALL OF ITS CHAIRMAN, OR UPON REQUEST OF ANY SIX MEMBERS. A TAPE RECORDING OF THE MEETING WITH THE TAPE BEING RETAINED FOR A ONE-YEAR PERIOD WILL BE AVAILABLE UPON THE REQUEST AND PAYMENT OF COSTS TO ANY INTERESTED PARTY.) The (COUNCIL) *task force* shall expire and the terms, compensation, and removal of members shall be as provided in section 15.059.

Sec. 49. Minnesota Statutes 1982, section 184.23, is amended to read:

184.23 [ADVISORY (COUNCIL) TASK FORCE CREATED.]

Subdivision 1. (THERE IS CREATED A COUNCIL TO BE KNOWN AS) The *commissioner of labor and industry may appoint an employment agency advisory (COUNCIL WHOSE DUTY SHALL BE) task force* to advise the department as to the administration of the provisions of sections 184.21 to 184.40. (SUCH COUNCIL SHALL CONSIST OF NINE MEMBERS, APPOINTED BY THE COMMISSIONER OF LABOR AND INDUSTRY.) *If appointed, a majority of (THOSE SELECTED) members shall be actually engaged as an owner or manager of an employment agency licensed by the state of Minnesota for a period of three years immediately preceding the time of their appointment.*

Subd. 3. (THE COUNCIL SHALL MEET AT THE CALL OF THE COMMISSIONER AND ADVISE AND CONSULT ON ALL MAJOR POLICY MATTERS RELATING TO THE LICENSING OF AN EMPLOYMENT AGENT OR COUNSELOR. THE COUNCIL SHALL ELECT ANNUALLY FROM ITS MEMBERS A CHAIRMAN, VICE-CHAIRMAN AND SECRETARY. THE COUNCIL IS ALSO AUTHORIZED TO CONDUCT ITS OWN MEETINGS AT THE CALL OF THE CHAIRMAN.) The (COUNCIL) *task force* shall expire and the terms, compensation and removal of members shall be as provided in section 15.059.

Sec. 50. Minnesota Statutes 1982, section 198.055, subdivision 1, is amended to read:

Subdivision 1. [CREATION; MEMBERS.] The *commissioner may appoint a veterans advisory (COMMITTEE IS HEREBY ESTABLISHED. THE COMMITTEE SHALL CONSIST OF ELEVEN MEMBERS APPOINTED BY THE COMMISSIONER) task force.* Organizations of veterans in this state may submit to the commissioner names of possible appointees to the committee, and the commissioner shall give consideration to such names. The commissioner shall also give consideration for appointment to persons having experience in the fields of mental and physical health services, education, vocational rehabilitation, and other fields of activity of the department of veterans affairs. (THE COMMITTEE SHALL SELECT A CHAIRMAN AND A SECRETARY. THE COMMITTEE SHALL MEET AT SUCH TIMES AS IT IS CALLED BY ITS CHAIRMAN OR THREE OF ITS MEMBERS. SIX OF THE INITIAL APPOINTMENTS TO THE COMMITTEE SHALL BE FOR TERMS ENDING WITH THE EXPIRATION OF THE TERM OF THE GOVERNOR ELECTED IN 1974; THE REMAINING FIVE MEMBERS SHALL SERVE FOR A TERM ENDING ONE YEAR

AFTER THAT DATE.) The (COMMITTEE) *task force* shall expire, and the terms, compensation and removal of members shall be as provided in section 15.059. (THE COMMISSIONER OF VETERANS AFFAIRS MAY ATTEND ANY MEETING OF THE COMMITTEE AND CONSULT WITH THE MEMBERS ON MATTERS OF POLICY RELATING TO THE DEPARTMENT OF VETERANS AFFAIRS AND FURNISH SUCH INFORMATION AS MAY BE NECESSARY TO THE COMMITTEE.)

Sec. 51. Minnesota Statutes 1982, section 206.08, subdivision 3, is amended to read:

Subd. 3. [ADVISORY (COMMITTEE) TASK FORCE.] The secretary of state may appoint a nonpartisan advisory (COMMITTEE) *task force* to advise (HIM) in the examining and reporting duties prescribed in this section. *The task force shall expire, and the terms, compensation, and removal of members shall be as provided in section 15.059.*

Sec. 52. Minnesota Statutes 1982, section 214.13, subdivision 4, is amended to read:

Subd. 4. The commissioner of health shall wherever possible delegate the administration of regulation activities to a health related licensing board with the concurrence of that board. If the commissioner of health delegates this function, the licensing board shall regularly bill the commissioner of health for the cost of performing this function. The commissioner of health may establish an advisory (COUNCIL) *task force* to advise him or the appropriate health related licensing board on matters relating to the registration and regulation of an occupation. A (COUNCIL) *task force* shall have seven members appointed by the commissioner of which five are members of the registered occupation or related registered or licensed occupations, and two are public members. A (COUNCIL) *task force* shall expire, and the terms, compensation and removal of members shall be as provided in section 15.059.

Sec. 53. Minnesota Statutes 1982, section 241.64, is amended to read:

241.64. [ADVISORY TASK FORCE.]

Subdivision 1. [CREATION.] (WITHIN 60 DAYS AFTER THE EFFECTIVE DATE OF SECTIONS 241.61 TO 241.66.) The commissioner (SHALL) *may* appoint (A NINE MEMBER) *an* advisory task force to advise (HIM) on the implementation of sections 241.61 to 241.66. The provisions of section 15.059, subdivision 6, shall govern the *expiration*, terms, compensation, and removal of members of the advisory task force.

Subd. 2. [MEMBERSHIP.] Persons appointed shall be knowledgeable in the fields of health, law enforcement, social services or the law. (FIVE) Members (OF THE ADVISORY TASK FORCE) shall (BE) *include* representatives of community or governmental organizations which provide services to battered women, and (FOUR MEMBERS OF THE ADVISORY TASK FORCE SHALL BE) public members.

(SUBD. 3. [DUTIES.] THE ADVISORY TASK FORCE SHALL:)

((A) RECOMMEND TO THE COMMISSIONER THE NAMES OF FIVE APPLICANTS FOR THE POSITION OF PROJECT COORDINATOR.)

((B) ADVISE THE COMMISSIONER ON THE RULES PROMULGATED PURSUANT TO SECTION 241.63;)

((C) REVIEW AND COMMENT ON APPLICATIONS RECEIVED BY THE COMMISSIONER FOR DESIGNATION AS A PILOT PROGRAM AND APPLICATIONS FOR EDUCATION GRANTS; AND)

((D) ADVISE THE PROJECT COORDINATOR IN THE PERFORMANCE OF HIS DUTIES IN THE ADMINISTRATION AND COORDINATION OF THE PROGRAMS FUNDED UNDER SECTION 241.62.)

Sec. 54. Minnesota Statutes 1982, section 241.71, is amended to read:

241.71 [CREATION OF ADVISORY TASK FORCE.]

(WITHIN 60 DAYS AFTER JULY 1, 1981.) The commissioner of corrections (SHALL) *may* appoint an advisory task force on the woman offender in corrections. The task force shall have (AT LEAST TEN BUT) no more than 20 members and shall reflect a statewide geographical representation. The provisions of section 15.059, subdivision 6, shall govern the *expiration*, terms, expenses, and removal of members of the advisory task force.

Sec. 55. Minnesota Statutes 1982, section 245.84, subdivision 4, is amended to read:

Subd. 4. The commissioner may appoint an advisory (COUNCIL) *task force* of not more than 35 members which shall advise the commissioner on grants and other child care issues. One-third of the members of the advisory council shall be parents who use child care services. The membership *expiration*, terms, compensation and removal from office of members of the advisory council shall be according to section 15.059.

Sec. 56. Minnesota Statutes 1982, section 246.017, subdivision 2, is amended to read:

Subd. 2. [MEMBERSHIP, DUTIES, MEETINGS.] The commissioner of public welfare (SHALL CREATE AND ESTABLISH) *may appoint* a medical policy directional (COMMITTEE) *task force* on mental health (COMPOSED OF SEVEN) *including* members (FIVE OF WHOM) *who* are experts in their fields of medicine, mental health, mental retardation, or related sciences. (TWO) Members shall *also* be selected from social service, rehabilitation, volunteer services, nursing, hospital administration or related fields. Not more than one member shall be selected from any one field of medicine or related sciences which shall include the field of psychiatry, neurology, physiology, biochemistry, internal medicine, pediatrics, pharmacology, and psychology. *The task force shall expire, and the terms, compensation, and removal of members shall be as provided in section 15.059.*

(ONE MEMBER SHALL BE APPOINTED WHOSE TERM SHALL EXPIRE JULY 1, 1954, AND HIS SUCCESSORS THEREAFTER SHALL BE APPOINTED FOR A PERIOD OF THREE YEARS; TWO MEMBERS SHALL BE APPOINTED WHOSE TERMS EXPIRE ON JULY 1, 1955, AND THEIR SUCCESSORS SHALL BE APPOINTED FOR A TERM OF THREE YEARS; TWO MEMBERS SHALL BE APPOINTED WHOSE TERMS SHALL EXPIRE ON JULY 1, 1956; AND THEIR SUCCESSORS THEREAFTER SHALL BE APPOINTED FOR A TERM OF THREE YEARS. TWO MEMBERS SHALL BE APPOINTED WHOSE TERMS SHALL BE DETERMINED BY THE COMMISSIONER.)

(THE COMMITTEE WILL MEET AT LEAST SIX TIMES EACH YEAR AT SUCH TIMES AND IN SUCH PLACES AS THE COMMISSIONER OF PUBLIC WELFARE MAY DETERMINE. HE MAY CALL SUCH ADDITIONAL MEETINGS FROM TIME TO TIME AS HE MAY DEEM NECESSARY NOT EXCEEDING A MAXIMUM OF 50 MEETINGS IN ANY ONE YEAR. EACH MEMBER WILL RECEIVE THE SUM OF \$50 PER DAY FOR TIME ACTUALLY SPENT IN TRANSACTING THE BUSINESS OF THE BOARD AND SHALL BE REIMBURSED FOR EXPENSES ACTUALLY INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES.)

(THE COMMITTEE SHALL ADVISE THE COMMISSIONER OF PUBLIC WELFARE AS TO ALL PHASES OF PROFESSIONAL STANDARDS INCLUDING PATIENT CARE, TRAINING OF PERSONNEL, MANAGEMENT PRACTICES, ESTABLISHMENT OF TREATMENT PROGRAMS, OBTAINING ADEQUATE STAFF, ESTABLISHMENT OF MEDICAL AND STATISTICAL RECORDS AND OPERATION OF PRACTICES IN ORDER THAT THEY BE

COMPATIBLE WITH PROFESSIONAL REQUIREMENTS. THE COMMITTEE SHALL ADVISE THE COMMISSIONER OF PUBLIC WELFARE IN APPROVAL AND GUIDANCE OF RESEARCH PROJECTS AND DISTRIBUTION OF RESEARCH FUNDS. THEY SHALL ASSIST HIM IN ESTABLISHING AND MAINTAINING THE BEST POSSIBLE PRACTICES IN ALL MENTAL INSTITUTIONS.)

The commissioner of public welfare shall appoint, and unless otherwise established by law, set the salary of a licensed physician to serve as medical director to assist him in establishing and maintaining the medical policies of the department of public welfare. The commissioner may place the medical director's position in the unclassified service if the position meets the criteria of section 43A.08, subdivision 1a.

Sec. 57. Minnesota Statutes 1982, section 252.31, is amended to read:

252.31 [ADVISORY (COUNCIL) TASK FORCE.]

The commissioner of public welfare (SHALL) *may* appoint an advisory (COUNCIL OF 11 MEMBERS TO BE KNOWN AS THE ADVISORY COUNCIL) *task force* for the mentally retarded and physically handicapped. The (COUNCIL) *task force* shall advise the commissioner relative to those laws for which the commissioner is responsible to administer and enforce relating to mental retardation and physical disabilities. The (COUNCIL) *task force* shall consist of persons who are providers or consumers of service for the mentally retarded or physically handicapped, or who are interested citizens. (THE COMMISSIONER OF EDUCATION AND THE COMMISSIONER OF HEALTH OR THEIR DESIGNEES SHALL BE NON-VOTING EX-OFFICIO MEMBERS AND SHALL ADVISE THE COUNCIL AS TO RULES, REGULATIONS AND SERVICES WHICH RELATE TO THE DEPARTMENTS OF EDUCATION AND HEALTH.) The (COUNCIL) *task force* shall expire and the terms, compensation and removal of (APPOINTED) members shall be as provided in section 15.059.

Sec. 58. Minnesota Statutes 1982, section 254A.04, is amended to read:

254A.04 [CITIZENS ADVISORY (COUNCIL) TASK FORCE.]

(THERE IS HEREBY CREATED) *The commissioner may appoint an alcohol and other drug abuse advisory (COUNCIL) task force to advise the department of public welfare concerning the problems of alcohol and other drug dependency and abuse (, COMPOSED OF 11 MEMBERS APPOINTED BY THE GOVERNOR). (AT LEAST FIVE) If appointed, members shall (BE*

include individuals whose interests or training are in the field of alcohol dependency and abuse (;), and (AT LEAST FIVE) members whose interests or training are in the field of dependency and abuse of drugs other than alcohol. The (COUNCIL) *task force* shall expire and the terms, compensation and removal of members shall be as provided in section 15.059.

Sec. 59. Minnesota Statutes 1982, section 256.481, is amended to read:

256.481 [HANDICAPPED PERSON; DEFINITION.]

For the purposes of sections 256.481 to (256.483) 256.482 "handicapped person" means (ONE WHO, BECAUSE OF A SUBSTANTIAL PHYSICAL, MENTAL OR EMOTIONAL DISABILITY OR DYSFUNCTION REQUIRES SPECIAL SERVICES IN ORDER TO ENJOY THE BENEFITS OF OUR SOCIETY) *any person who:*

(a) *has a physical, mental, or emotional impairment which substantially limits one or more major life activities;*

(b) *has a record of such an impairment; or*

(c) *is regarded as having such an impairment.*

Sec. 60. Minnesota Statutes 1982, section 256.482, is amended to read:

256.482 [COUNCIL FOR THE HANDICAPPED.]

Subdivision 1. [ESTABLISHMENT; MEMBERS.] There is hereby established the council for the handicapped which shall consist of (30) 21 members appointed by the governor. (AT LEAST FIFTEEN COUNCIL MEMBERS SHALL BE HANDICAPPED PERSONS OR PARENTS OR GUARDIANS OF HANDICAPPED PERSONS. TWENTY MEMBERS SHALL BE APPOINTED FROM THE GENERAL PUBLIC, AND TEN SHALL BE APPOINTED FROM ORGANIZATIONS WHICH PROVIDE SERVICES FOR THE HANDICAPPED.) *Members shall be appointed from the general public and from organizations which provide services for handicapped persons. A majority of council members shall be handicapped persons or parents or guardians of handicapped persons. There shall be at least one member of the council appointed from each of the state development regions. The commissioners of the departments of education, public welfare (AND), health, economic security, and (THE STATE COMMISSIONER OF HEALTH,) human rights and the directors of the division of vocational rehabilitation and state services for the blind or their designees shall serve as ex officio (, WITHOUT A VOTE, ON THE COUNCIL, OR SHALL DESIGNATE A REPRESENTATIVE TO THE COUNCIL) members of the council without vote. In addition, there*

(SHALL) *may* be ex officio (REPRESENTATION, WITHOUT VOTE, FROM THE PROGRAMS SERVING MENTALLY RETARDED PERSONS AND FROM THE PROGRAMS SERVING BLIND PERSONS IN THE DEPARTMENT OF PUBLIC WELFARE AND) *members* from other (PROGRAMS) *bureaus, divisions, or sections of state departments* which are directly concerned with *the provision of services* (FOR) *to* handicapped persons. (THERE SHALL BE AT LEAST ONE MEMBER OF THE COUNCIL APPOINTED FROM EACH OF THE STATE DEVELOPMENT REGIONS.)

The terms of members serving as of December 31, 1983, shall expire on that date. Thereafter, notwithstanding the provisions of section 15.059, each member of the council appointed by the governor shall serve a three-year term and until his or her successor is appointed and qualified, provided that of the members initially appointed to serve starting in 1984, one-third shall be appointed for one year, one-third for two years, and one-third for three years as designated by the governor. The compensation and removal of all members shall be as provided in section 15.059. The governor shall appoint a (CHAIRMAN) chair of the council from among the members appointed from the general public or handicapped persons or their parents or guardians. Vacancies shall be filled by the appointing authority for the remainder of the unexpired term. The council shall not expire (AND THE TERMS OF THE APPOINTED MEMBERS AND THE COMPENSATION AND REMOVAL OF ALL MEMBERS SHALL BE AS PROVIDED IN SECTION 15.059).

Subd. 2. [EXECUTIVE DIRECTOR; STAFF.] The council may select an executive director of the council by a vote of a majority of all council members. The executive director shall be in the unclassified service of the state and shall (ACT AS SECRETARY TO THE COUNCIL AND SHALL PERFORM SUCH OTHER DUTIES AS THE COUNCIL MAY REQUIRE OF HIM) *provide administrative support for the council and provide administrative leadership to implement council mandates, policies, and objectives. The (COUNCIL) executive director shall (APPROVE EMPLOYMENT OF SUCH CLERICAL HELP AND OTHER EMPLOYEES AS ARE NECESSARY, UPON THE RECOMMENDATION OF THE EXECUTIVE DIRECTOR) employ and direct staff authorized according to state law and necessary to carry out council mandates, policies, activities, and objectives. Salaries (FOR) of the executive director and staff shall be established in the manner prescribed by (CHAPTER 15A) state law, and the executive director and staff shall be reimbursed for (ALL) the actual and necessary expenses incurred as a result of (HIS) their council responsibilities.*

Subd. 3. [RECEIPT OF FUNDS.] Whenever any person, firm or corporation offers to the council funds by the way of gift, grant or loan, for purposes of assisting the council to carry out its powers and duties, the council may accept such offer by ma-

majority vote and upon such acceptance the (CHAIRMAN) *chair* shall receive such funds subject to the terms of the offer, but no money shall be accepted or received as a loan nor shall any indebtedness be incurred except in the manner and under the limitations otherwise provided by law.

Subd. 4. [ORGANIZATION; (COUNCILS AND) COMMITTEES.] The council shall organize itself in conformity with its responsibilities under sections 256.481 to (256.483) 256.-482 and shall establish (COUNCILS AND) committees which shall give detailed attention to the special needs of each category of handicapped persons. The members of such (COUNCILS AND) committees shall be designated by the (CHAIRMAN) *chair* with the approval of a majority of the council (AND EACH COUNCIL OR COMMITTEE SHALL HAVE MEMBERS FROM, AND IN APPROXIMATELY THE SAME RATIO AS, THE THREE GROUPS REPRESENTED ON THE COUNCIL). (COUNCILS) *Committees* established shall include a (COUNCIL ON EMPLOYMENT WHICH SHALL CARRY OUT THE DUTIES AND RESPONSIBILITIES FORMERLY ENTRUSTED TO THE GOVERNOR'S COMMISSION ON EMPLOYMENT OF HANDICAPPED PERSONS, AND A COUNCIL ON CHILDREN WHICH SHALL CARRY OUT THE DUTIES AND RESPONSIBILITIES RELATED TO HANDICAPPED CHILDREN FORMERLY ENTRUSTED TO THE MINNESOTA ADVISORY BOARD ON HANDICAPPED, GIFTED AND EXCEPTIONAL CHILDREN) *committee on children which shall study the special needs of handicapped children and a committee on employment which shall study the special employment needs of handicapped persons. The council shall serve as liaison in Minnesota for the president's committee on employment of the handicapped and for any other organization for which it is so designated by the governor or state legislature.*

Subd. 5. [DUTIES AND POWERS.] The council shall have the following duties and powers:

(1) To advise *and otherwise aid* the governor (,); appropriate state agencies, *including but not limited to the departments of education, public welfare, economic security, human rights, and the divisions of vocational rehabilitation and services for the blind; the state legislature;* and the public on matters pertaining to public policy and the administration of programs, services and facilities for handicapped persons in Minnesota;

(2) To encourage *and assist in* the development of coordinated, interdepartmental goals and objectives and the coordination of programs, services and facilities among all state departments and private providers of service as they relate to handicapped persons;

(3) To serve as a source of information to the public regarding all services, *programs and legislation pertaining to handicapped persons*;

(4) To review and make comment to the governor, state agencies, the legislature, and the public concerning adequacy of state programs, plans and budgets for services to handicapped persons and for funding under the various federal grant programs;

(5) To research, formulate and advocate plans, programs and policies which will serve the needs of handicapped persons;

(6) To advise the (DEPARTMENT) *departments* of labor and industry and (THE STATE BOARD OF EDUCATION) *economic security* on the administration and improvement of the workers' compensation law as the law relates to programs, facilities and personnel providing assistance to injured and handicapped workers;

(7) To advise the workers' compensation division of the department of labor and industry and the workers' compensation court of appeals as to the necessity and extent of any alteration or remodeling of an existing residence or the building or purchase of a new or different residence which is proposed by a licensed architect under section 176.137.

Sec. 61. Minnesota Statutes 1982, section 256B.58, is amended to read:

256B.58 [ADMINISTRATION.]

The pilot programs shall be administered by the commissioner. The commissioner may employ staff to administer the programs. The cost of the staff shall be met solely by funds authorized to be spent for administering the programs. (THE COMMISSIONER SHALL APPOINT A SEVEN MEMBER ADVISORY TASK FORCE TO ADVISE THE COMMISSIONER ON THE OPERATION OF THE PILOT PROGRAMS. ALL OF THE MEMBERS OF THE ADVISORY TASK FORCE SHALL BE SENIOR CITIZENS. THE COMPENSATION OF MEMBERS, THEIR REMOVAL FROM OFFICE, AND THE FILLING OF VACANCIES SHALL BE AS PROVIDED IN SECTION 15.059.)

Sec. 62. Minnesota Statutes 1982, section 268.12, subdivision 6, is amended to read:

Subd. 6. [ADVISORY COUNCILS.] The commissioner of economic security shall appoint a state advisory council and may appoint such local advisory councils as he deems advisable, composed in each case of an equal number of employer and em-

ployee representatives who shall be selected because of their vocation, employment, or affiliation, and of such members representing the general public as he may designate. (THE COMMISSIONER MAY ALSO APPOINT AN AGRICULTURAL EMPLOYMENT ADVISORY COUNCIL AND SUCH OTHER ADVISORY COUNCILS AS MAY BE FOUND NECESSARY FOR PROPER ADMINISTRATION.) Such councils shall aid the commissioner in formulating policies and discussing problems relating to the administration of sections 268.03 to 268.24 and in assuring impartiality and freedom from political influence in the solution of such problems. The (COUNCILS SHALL EXPIRE AND THE) terms, compensation and removal of members shall be as provided in section 15.059.

Sec. 63. Minnesota Statutes 1982, section 326.41, is amended to read:

326.41 [ADVISORY COUNCIL.]

The state commissioner of health shall appoint seven persons to the advisory council on plumbing code and examinations, one of whom shall be a practical master plumber, one a practical journeyman plumber, and one a representative of the commissioner. The (COUNCIL SHALL EXPIRE AND THE) terms, compensation and removal of members of *the council* shall be as provided in section 15.059.

Sec. 64. Minnesota Statutes 1982, section 326.49, is amended to read:

326.49 [ADVISORY COUNCIL.]

The department of labor and industry shall appoint seven persons, of whom one shall be a practical contracting steamfitter, one a practical journeyman steamfitter, and one a member or employee of the department, to be known as the advisory council for steamfitting examinations. The (COUNCIL SHALL EXPIRE AND THE) terms, compensation and removal of members of *the council* shall be as provided in section 15.059.

Sec. 65. Minnesota Statutes 1982, section 363.04, subdivision 4, is amended to read:

Subd. 4. [(COMMITTEE) TASK FORCE, MEMBERSHIP APPEALS.] (THERE IS HEREBY ESTABLISHED WITHIN THE DEPARTMENT) *The commissioner may appoint a human rights advisory (COMMITTEE) task force.* (THE COMMITTEE SHALL SERVE IN AN ADVISORY CAPACITY TO THE COMMISSIONER. THE COMMITTEE SHALL CONSIST OF 15 MEMBERS TO BE APPOINTED BY THE GOVERNOR. MEMBERS SHALL BE APPOINTED WITH DUE REGARD TO THEIR FITNESS FOR THE EFFICIENT DISPATCH OF

THE FUNCTIONS, POWERS AND DUTIES VESTED IN AND IMPOSED UPON THE COMMITTEE. THE GOVERNOR SHALL DESIGNATE FROM TIME TO TIME ONE OF THE MEMBERS AS CHAIRMAN.)

Sec. 66. Minnesota Statutes 1982, section 363.04, subdivision 4a, is amended to read:

Subd. 4a. [TERMS; COMPENSATION; REMOVAL; VACANCIES.] The *expiration*, membership terms, compensation, removal of members, and filling of vacancies on the (COMMITTEE) *task force* shall be as provided in section 15.059.

Sec. 67. Minnesota Statutes 1982, section 507.09, is amended to read:

507.09 [FORMS APPROVED; AMENDMENTS.]

The several forms of deeds, mortgages, land contracts, assignments, satisfactions, and other conveyancing instruments prepared by the uniform conveyancing blanks commission and filed by the commission with the secretary of state pursuant to Laws 1929, Chapter 135, as amended by Laws 1931, Chapter 34, are approved and recommended for use in the state. Such forms shall be kept on file with and be preserved by the secretary of state as a public record. The commissioner of securities and real estate may appoint an advisory (COMMITTEE) *task force* on uniform conveyancing forms to recommend to the commissioner of securities and real estate amendments to existing forms or the adoption of new forms. *The task force shall expire, and the terms, compensation, and removal of members shall be as provided in section 15.059.* The commissioner of securities and real estate may adopt amended or new forms consistent with the laws of this state by rule in accordance with chapter 14.

Sec. 68. Laws 1975, chapter 235, section 2, is amended to read:

Sec. 2. This act is effective July 1, 1975 and shall expire June 30, (1983) 1987.

Sec. 69. Laws 1976, chapter 314, section 3, is amended to read:

Sec. 3. This act is effective upon final enactment. (THE BOARD SHALL EXPIRE ON JUNE 30, 1983.)

Sec. 70. Laws 1980, chapter 614, section 192, is amended to read:

Sec. 192. [EFFECTIVE DATE.] Except as otherwise provided in this act, this act is effective the day following final

enactment. Section 55 is effective retroactive to April 1, 1980. Sections 87 and 88 are effective for any notice of the objects of the petition served after the day following final enactment. Sections 85 and 86 are effective for each district named in section 86 upon approval by a majority of the board of managers of the respective districts, and upon compliance with the provisions of Minnesota Statutes, section 645.021. Sections 168 to 180 are effective upon approval by resolution of the St. Paul city council. The resolution shall be adopted after published notice to the public and public hearing. Sections 37 to 39, 49, 51, 57, 60 to 68, 70 to 74, 79, 81 to 83, 89, 101 to 123, 126, 128, 135 to 145, 148, 152, and 155, are effective July 1, 1980. Section 187 is effective July 1, 1980 (AND EXPIRES JUNE 30, 1983). Pursuant to Minnesota Statutes, Section 645.023, Subdivision 1, Clause (b), section 155 is effective without local approval July 1, 1980. Section 157 is effective March 1, 1981 and applies to causes of action accruing on or after that date. Section 191, subdivision 2 is effective July 1, 1981.

Sec. 71. [TRANSITION.]

A person or group which is given discretionary authority under this act to appoint an advisory task force may appoint any person who on the day prior to the effective date of this section was a member of an advisory group, to serve as a member of the advisory task force which replaces the advisory group. The initial appointment of former advisory group members to a successor advisory task force is not subject to the open appointments process under section 15.0597. This section is repealed 90 days after the effective date of this section.

Sec. 72. [INTERIM STUDY.]

During the interim between the 1983 and 1984 legislative sessions the governmental operations committees of the house of representatives and the senate shall study the status of advisory groups. Specifically the committees shall investigate the extent to which advisory task forces are created to serve the same functions as the groups abolished by this act. The committees shall hear testimony from persons aggrieved by the failure of an appointing authority to create an advisory task force. The committees shall report their findings and any recommendations for statutory changes to the house and the senate before the beginning of the 1984 legislative session.

Sec. 73. [REPEALER.]

Minnesota Statutes 1982, sections 11A.03, subdivisions 2 and 3; 15.059, subdivision 5; 16.853; 16.911, subdivisions 5 and 6; 31.60, subdivisions 2 and 3; 41.54, subdivisions 2, 3, 4, and 5; 84.524, subdivisions 3 and 4; 86A.10, subdivision 2; 121.83; 121.87, subdivision 2; 121.934, subdivisions 3, 4, 5, 6, and 7; 121.938; 123.581, subdivisions 2, 3, 4, 5, and 7; 124.215, subdivision 6;

141.24; 144.571; 144A.17; 144A.55; 145.98, subdivisions 2 and 4; 161.1419, subdivisions 2, 3, 4, 5, 6, and 7; 175.007, subdivision 2; 178.02, subdivision 4; 198.055, subdivision 2; 214.14; 222.65; 256.483; and 363.04, subdivision 5, are repealed.

Sec. 74. [EFFECTIVE DATE.]

Sections 1 to 73 are effective July 1, 1983."

Delete the title and insert:

"A bill for an act relating to state government; repealing or amending the statutory authority for certain executive branch advisory groups; providing authority for the creation of certain task forces in the executive branch; amending certain laws relating to the organization and expiration of executive branch advisory groups; amending Minnesota Statutes 1982, sections 3.922; 4.31, subdivision 5; 11A.08, subdivisions 1, as amended, 4, 5, and 6; 15.059, subdivision 6; 16.02, subdivision 28; 16.872; 16.90, subdivision 4; 16.91; 16.911; 21.112, subdivision 2; 43A.31, subdivision 4; 45.17, subdivision 6; 52.061; 82.30, subdivision 1; 84.524, subdivisions 1 and 2; 84B.11, subdivision 1; 86A.10, subdivision 1; 116J.04; 121.87, subdivisions 1 and 3; 121.902, subdivisions 1 and 1a; 121.934, subdivision 2; 123.581, subdivision 1; 126.531, subdivision 1; 128A.03; 129A.02, subdivision 3; 129B.09, subdivision 8; 144.011, subdivision 2; 145.93, subdivisions 2 and 3; 145.98, subdivisions 1 and 3; 148.191, subdivision 2; 148.67; 148.70; 149.02; 151.13, subdivision 2; 152.02, subdivision 11; 155A.06, subdivision 2; 156A.06, subdivision 1; 175.007, subdivision 1; 178.02, subdivision 2; 182.656; 184.23; 198.055, subdivision 1; 206.08, subdivision 3; 214.13, subdivision 4; 241.64; 241.71; 245.84, subdivision 4; 246.017, subdivision 2; 252.31; 254A.04; 256.481; 256.482; 256B.58; 268.12, subdivision 6; 326.41; 326.49; 363.04, subdivisions 4 and 4a; 507.09; Laws 1975, chapter 235, section 2; Laws 1976, chapter 314, section 3; and Laws 1980, chapter 614, section 192; repealing Minnesota Statutes 1982, sections 11A.08, subdivisions 2 and 3; 15.059, subdivision 5; 16.853; 16.911, subdivisions 5 and 6; 31.60, subdivisions 2 and 3; 41.54, subdivisions 2, 3, 4, and 5; 84.524, subdivisions 3 and 4; 86A.10, subdivision 2; 121.83; 121.87, subdivision 2; 121.934, subdivisions 3, 4, 5, 6, and 7; 121.938; 123.581, subdivisions 2, 3, 4, 5, 6, and 7; 175.007, subdivision 2; 178.02, 571; 144A.17; 144A.55; 145.98, subdivisions 2 and 4; 161.1419, subdivisions 2, 3, 4, 5, 6, and 7; 175.007, subdivision 2; 178.02, subdivision 4; 198.055, subdivision 2; 214.14; 222.65; 256.483; and 363.04, subdivision 5."

With the recommendation that when so amended the bill pass.

The report was adopted.

Tomlinson from the Committee on Taxes to which was referred:

S. F. No. 823, A bill for an act relating to cities; authorizing the issuance of capital notes for certain equipment acquisitions; proposing new law coded in Minnesota Statutes, chapter 410.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 242 and 533 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1241, 1151, 1041, 510, 428 and 823 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Zaffke, Quinn, Seaberg, Riveness and Knuth introduced:

H. F. No. 1325, A bill for an act relating to county law libraries; permitting the appointment of a nonlawyer to the library board; amending Minnesota Statutes 1982, section 140.36, subdivision 1.

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

Simoneau, Eken, Clawson, Price and Rose introduced:

H. F. No. 1326, A bill for an act relating to education; school districts; providing for self-insured, state-wide fringe benefit coverages for employees of school districts; amending Minnesota Statutes 1982, sections 3.855, subdivision 3; 43A.04, by adding a subdivision; 60A.03, by adding a subdivision; 179.65, subdivision 4; 179.66, subdivision 4; 275.125, by adding a subdivision; 471.616, by adding a subdivision; 471.617, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapters 124 and 471.

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

Berkelman, Gustafson and Munger introduced:

H. F. No. 1327, A bill for an act relating to retirement; Duluth firefighters; computation of units for retirement and survivor benefit purposes; amending Laws 1965, chapter 179, section 1, as amended.

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

Schafer and Uphus introduced:

H. F. No. 1328, A bill for an act relating to game and fish; authorizing special permits for elderly deer hunters; amending Minnesota Statutes 1982, section 98.48, by adding a subdivision.

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

Johnson, Waltman, Omann, Jennings and Findlay introduced:

H. F. No. 1329, A bill for an act relating to state government; regulating mandates to local units of government; proposing new law coded as Minnesota Statutes, chapter 256F.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

Onnen and Skoglund introduced:

H. A. No. 29, A proposal to study the state tax treatment and policy of per diem and expenditures for state legislatures.

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

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. 102, A bill for an act relating to agricultural and residential real estate; requiring 60 days notice of default on a real estate mortgage, notice of termination of a real estate contract for deed, and eight weeks notice of commencement of a sale and foreclosure proceeding; providing that a court may order a delay in a foreclosure sale or contract termination under certain circumstances; limiting the right to maintain actions for deficiency judgments; amending Minnesota Statutes 1982, sections 47.20, by adding a subdivision; 559.21, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 550; proposing new law coded as Minnesota Statutes, chapter 583.

The Senate has appointed as such committee Messrs. Dicklich, Luther and Stumpf.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 415, A bill for an act relating to state government; providing for salaries for constitutional officers, agency heads, metropolitan agency heads, and certain judicial positions; providing an expense allowance; establishing a compensation council; limiting local government salaries; prohibiting cash payments for accumulated vacation pay; expanding the authority of the commissioner of employee relations to set salaries; requiring the governor to recommend certain salaries; removing salary setting authority of certain state agencies; removing additional compensation for the career executive service; requiring the percentage of women in the career executive service to be increased; ratifying state and University of Minnesota labor agreements, compensation plans, and plans for early retirement incentives; amending Minnesota Statutes 1982, sections 3.855, subdivision 3; 3.922, subdivision 5; 15A.081, subdivisions 1, 6, and 7, and by adding a subdivision; 15A.083, subdivisions 1, 2, and 4; 43A.17, by adding subdivisions; 43A.18, subdivisions 3, 4, and 5; 43A.21, by adding a subdivision; 105.71, subdivision 2; 136.034; 136A.03; 179.741, subdivision 1; 244.09, subdivision 10; 256.482, subdivision 2; 298.22, subdivision 1; 326.241, subdivision 2; 352.03, subdivision 4; 354.06, subdivision 2; 484.68, subdivision 6; and Laws 1980, chapter 564, article XII, section 1, subdivision 3; proposing new law coded in Minnesota Statutes, chapter 15A; repealing Minnesota Statutes 1982, sections 16A.16; 136.063; and 136A.035.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Messrs. Moe, D. M.; Luther; Wegscheid; Knaak and Spear.

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

Eken moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 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. 415. 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. 250, A bill for an act relating to insurance; regulating interest rates on life insurance policy loans; establishing written pricing and dividend policies in certain circumstances; prescribing penalties; amending Minnesota Statutes 1982, section 61A.03; proposing new law coded in Minnesota Statutes, chapter 72A.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Norton moved that the House concur in the Senate amendments to H. F. No. 250 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 250, A bill for an act relating to insurance; requiring automobile insurance policy option of safety glass coverage without a deductible; regulating interest rates on life insurance policy loans; establishing written pricing and dividend policies in certain circumstances; prescribing penalties; amending Minnesota Statutes 1982, section 61A.03; proposing new law coded in Minnesota Statutes, chapters 65B and 72A.

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 83 yeas and 32 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Graba	Mann	Piper	Skoglund
Anderson, G.	Gruenes	Marsh	Price	Stadum
Bennett	Haukoos	McDonald	Quist	Sviggum
Berkelman	Heap	McEachern	Redalen	Thiede
Blatz	Heinitz	McKasy	Reif	Tomlinson
Brinkman	Himle	Metzen	Rice	Uphus
Burger	Hoberg	Munger	Rodosovich	Valan
Carlson, D.	Hoffman	Nelson, D.	Rodriguez, C.	Valento
Carlson, L.	Hokr	Nelson, K.	Rodriguez, F.	Voss
Clark, J.	Johnson	Neuenschwander	Rose	Waltman
Clawson	Kalis	Norton	Schafer	Welch
Cohen	Knickerbocker	Olsen	Scheid	Welker
DenOuden	Knuth	Omann	Schoenfeld	Welle
Dimler	Kostohryz	Onnen	Schreiber	Wenzel
Evans	Larsen	Osthoff	Segal	Wigley
Findlay	Levi	Peterson	Shaver	
Forsythe	Ludeman	Piepho	Sherman	

Those who voted in the negative were:

Anderson, R.	Elioff	Kahn	Quinn	Swanson
Battaglia	Erickson	Kelly	St. Onge	Vanasek
Beard	Fjosien	Krueger	Sarna	Vellenga
Begich	Greenfield	Minne	Seaberg	Zaffke
Bergstrom	Jacobs	Murphy	Solberg	
Clark, K.	Jennings	O'Connor	Sparby	
Coleman	Jensen	Ogren	Staten	

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 File, herewith transmitted:

S. F. No. 751.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 751, A resolution memorializing the Commission on Wartime Relocation and Internment of Civilians to recommend to the United States Congress to provide adequate compensation to internees.

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

SPECIAL ORDERS

S. F. No. 863 was reported to the House.

McDonald moved to amend S. F. No. 863, as follows:

Page 1, line 12, after "Jews" insert "and other religious groups"

Page 2, line 4, after "policies" insert "and anti religious policies"

The motion prevailed and the amendment was adopted.

S. F. No. 863, A resolution memorializing the President and Secretary of State of the United States to protest discrimination against Soviet Jews and seek an end to restrictions on their emigration.

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 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 891 was reported to the House.

Segal moved that S. F. No. 891 be continued on Special Orders for one day. The motion prevailed.

S. F. No. 911 was reported to the House.

Voss and Minne moved to amend S. F. No. 911, as follows:

Page 2, after line 28, insert:

"No municipal electric utility or cooperative electric association shall prohibit submetering within residential or commercial buildings or manufactured home parks."

A roll call was requested and properly seconded.

Carlson, D., moved to amend the Voss and Minne amendment to S. F. No. 911, as follows:

Line 1, delete *"or cooperative electric"*

Line 2, delete *"association"*

A roll call was requested and properly seconded.

The Speaker called Wynia to the Chair.

The question was taken on the amendment to the amendment and the roll was called. There were 68 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Findlay	Jensen	Munger	Stadum
Anderson, G.	Fjoslien	Johnson	Neuenschwander	Sviggum
Anderson, R.	Forsythe	Kalis	Olsen	Swanson
Bennett	Frerichs	Knickerbocker	Omann	Thiede
Bishop	Graba	Kostohryz	Onnen	Uphus
Blatz	Gruenes	Krueger	Piepho	Valan
Brinkman	Gutknecht	Kvam	Quist	Valento
Burger	Halberg	Ludeman	Redalen	Waltman
Carlson, D.	Heap	Mann	Reif	Welker
Carlson, L.	Heinitz	Marsh	Rose	Wenzel
DenOuden	Himle	McDonald	Schafer	Wigley
Dimler	Hoberg	McEachern	Schreiber	Zaffke
Erickson	Hokr	McKasy	Shaver	
Evans	Jennings	Metzen	Sherman	

Those who voted in the negative were:

Battaglia	Cohen	Jacobs	Norton	Rice
Beard	Coleman	Kahn	O'Connor	Riveness
Begich	Elioff	Kelly	Ogren	Rodosovich
Berkelman	Ellingson	Knuth	Osthoff	Rodriguez, C.
Brandt	Greenfield	Larsen	Otis	Rodriguez, F.
Clark, J.	Gustafson	Long	Peterson	St. Onge
Clark, K.	Haukoos	Nelson, D.	Piper	Sarna
Clawson	Hoffman	Nelson, K.	Price	Scheid

Schoenfeld	Skoglund	Tunheim	Welle	Speaker Sieben.
Segal	Solberg	Voss	Wynia	
Shea	Tomlinson	Welch		

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

The question recurred on the Voss and Minne amendment, as amended, and the roll was called. There were 69 yeas and 54 nays as follows:

Those who voted in the affirmative were:

Battaglia	Ellingson	Knickerbocker	Piper	Staten
Beard	Fjoslien	Knuth	Price	Swanson
Begich	Forsythe	Kostohryz	Quinn	Tomlinson
Berkelman	Greenfield	Larsen	Riveness	Tunheim
Bishop	Gustafson	Long	Rodosovich	Vanasek
Brandl	Gutknecht	Minne	Rodriguez, C.	Vellenga
Brinkman	Himle	Nelson, D.	Rodriguez, F.	Voss
Clark, J.	Hoffman	Nelson, K.	Sarna	Welch
Clark, K.	Jacobs	Neuenschwander	Scheid	Welle
Clawson	Jennings	Norton	Schoenfeld	Wenzel
Cohen	Jensen	O'Connor	Segal	Wynia
Coleman	Johnson	Osthoff	Sherman	Zaffke
Eken	Kahn	Otis	Skoglund	Speaker Sieben
Elioff	Kelly	Peterson	Solberg	

Those who voted in the negative were:

Anderson, B.	Findlay	Kvam	Onnen	Shea
Anderson, R.	Frerichs	Levi	Piepho	Stadum
Bennett	Graba	Ludeman	Quist	Swiggum
Blatz	Gruenes	Mann	Redalen	Thiede
Burger	Haukoos	Marsh	Reif	Uphus
Carlson, D.	Heap	McDonald	Rice	Valan
Carlson, L.	Heinitz	McEachern	Rose	Valento
DenOuden	Hoberg	McKasy	St. Onge	Waltman
Dimler	Hokr	Metzen	Schafer	Welker
Erickson	Kalis	Ogren	Schreiber	Wigley
Evans	Krueger	Omann	Shaver	

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

S. F. No. 911, A bill for an act relating to utilities; specifying the commission's authority over the availability of submetering; amending Minnesota Statutes 1982, section 216B.02, subdivision 4, and by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 216B.

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

The question was taken on the passage of the bill and the roll was called. There were 103 yeas and 19 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Ellingson	Kniekerbocker	Olsen	Shea
Anderson, G.	Evans	Knuth	Osthoff	Sherman
Anderson, R.	Fjoslien	Kostohryz	Otis	Skoglund
Battaglia	Forsythe	Krueger	Peterson	Solberg
Beard	Graba	Larsen	Piper	Staten
Begich	Greenfield	Levi	Price	Swanson
Bennett	Gruenes	Long	Quinn	Tomlinson
Berkelman	Gustafson	Mann	Quist	Tunheim
Bishop	Gutknecht	Marsh	Reif	Valan
Blatz	Haukoos	McDonald	Riveness	Valento
Brandl	Heap	McEachern	Rodosovich	Vanasek
Brinkman	Heinitz	McKasy	Rodriguez, C.	Vellenga
Burger	Himle	Metzen	Rodriguez, F.	Voss
Carlson, D.	Hoberg	Minne	Rose	Waltman
Carlson, L.	Hokr	Munger	St. Onge	Welch
Clark, J.	Jacobs	Nelson, D.	Sarna	Welle
Clark, K.	Jensen	Nelson, K.	Scheid	Wenzel
Cohen	Johnson	Neuenschwander	Schoenfeld	Wynia
Coleman	Kahn	Norton	Schreiber	Speaker Sieben
Eken	Kalis	O'Connor	Segal	
Elioff	Kelly	Ogren	Shaver	

Those who voted in the negative were:

DenOuden	Frerichs	Onnen	Stadum	Welker
Dimler	Jennings	Piepho	Sviggum	Wigley
Erickson	Kvam	Redalen	Thiede	Zaffke
Findlay	Omann	Schafer	Uphus	

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

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Tomlinson requested immediate consideration of H. F. Nos. 1169, 1216 and 1231.

H. F. No. 1169 was reported to the House.

Schreiber moved to amend H. F. No. 1169, the first engrossment, as follows:

Page 11, line 15, strike "tenth" and insert "fifteenth"

The motion prevailed and the amendment was adopted.

H. F. No. 1169, A bill for an act relating to taxation; property; changing the meeting dates for local boards of review and the state board of equalization; changing other miscellaneous dates; modifying the appeal process in certain situations; amending Minnesota Statutes 1982, sections 270.11, subdivisions 1 and 2; 270.12, subdivisions 2, 3, and by adding a subdivision; 270.13; 270.87; 271.01, subdivision 5; 271.21, subdivision 4; 273.33, subdivision 2; 273.37, subdivision 2; 274.01, subdivision 1; 274.14; 274.16; and 275.07, subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

H. F. No. 1216, A bill for an act relating to taxation; exempting petroleum products used in certain improvements to agricultural land for purposes of the sales tax; prohibiting certain retroactive imposition of tax, penalty, and interest; amending Minnesota Statutes 1982, section 297A.25, subdivision 1.

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

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

Those who voted in the affirmative were:

Anderson, B.	Bennett	Brinkman	Clawson	Elioff
Anderson, G.	Bergstrom	Burger	Cohen	Ellingson
Anderson, R.	Berkelman	Carlson, D.	Coleman	Erickson
Battaglia	Bishop	Carlson, L.	DenOuden	Evans
Beard	Blatz	Clark, J.	Dimler	Findlay
Begich	Brandl	Clark, K.	Eken	Fjoslien

Forsythe	Kelly	Nelson, K.	Rodosovich	Swanson
Frerichs	Knickerbocker	Neuenschwander	Rodriguez, C.	Thiede
Graba	Knuth	Norton	Rodriguez, F.	Tomlinson
Greenfield	Kostohryz	O'Connor	Rose	Tunheim
Gruenes	Krueger	Ogren	St. Onge	Uphus
Gustafson	Kvam	Olsen	Sarna	Valan
Gutknecht	Larsen	Omman	Schafer	Valento
Haukoos	Levi	Onnen	Scheid	Vanasek
Heap	Long	Osthoff	Schoenfeld	Vellenga
Heinitz	Ludeman	Otis	Schreiber	Waltman
Himle	Mann	Peterson	Seaberg	Welch
Hoberg	Marsh	Piepho	Segal	Welker
Hoffman	McDonald	Piper	Shaver	Welle
Hokr	McEachern	Price	Shea	Wenzel
Jacobs	McKasy	Quinn	Sherman	Wynia
Jennings	Metzen	Quist	Skoglund	Zaffke
Jensen	Minne	Redalen	Solberg	Speaker Sieben
Johnson	Munger	Reif	Sparby	
Kahn	Murphy	Rice	Staten	
Kalis	Nelson, D.	Riveness	Sviggum	

The bill was passed and its title agreed to.

H. F. No. 1231, A bill for an act relating to property taxation; providing for the taxation of certain condominium property; amending Minnesota Statutes 1982, sections 273.11, subdivision 1, and by adding a subdivision; and 515A.1-105.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Rice requested immediate consideration of S. F. No. 147 and H. F. Nos. 654 and 796.

S. F. No. 147 was reported to the House.

Welch moved that S. F. No. 147 be re-referred to the Committee on Governmental Operations.

A roll call was requested and properly seconded.

The question was taken on the Welch motion and the roll was called. There were 32 yeas and 91 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Gutknecht	Levi	Schafer	Welch
Anderson, G.	Halberg	Ludeman.	Schreiber	Welker
Burger	Heap	Norton	Shaver	Wynia
Clawson	Heintz	Pauly	Skoglund	Zaffke
Coleman	Himle	Quist	Sviggum	
DenOuden	Jennings	Redalen.	Uphus	
Frerichs	Kvam	Rose	Waltman	

Those who voted in the negative were:

Anderson, R.	Ellingson	Knuth	Onnen	Solberg
Battaglia	Erickson	Kostohryz	Osthoff	Sparby
Beard	Evans	Krueger	Otis	Swanson
Begich	Findlay	Larsen	Peterson	Thiede
Bennett	Fjoslien	Mann	Piepho	Tomlinson
Bergstrom	Forsythe	Marsh	Piper	Tunheim
Berkelman	Graba	McDonald	Price	Valan
Bishop	Greenfield	McEachern	Quinn	Valento
Blatz	Gruenes	McKasy	Reif	Vanasek
Brandl	Gustafson	Metzen	Rice	Vellenga
Brinkman	Haukoos	Minne	Riveness	Voss
Carlson, D.	Hoberg	Munger	Rodosovich	Welle
Carlson, L.	Hoffman	Murphy	Rodriguez, C.	Wenzel
Clark, J.	Hokr	Nelson, D.	Rodriguez, F.	Wigley
Clark, K.	Jacobs	Neuenschwander	St. Onge	Speaker Sieben
Cohen	Jensen	O'Connor	Sarna	
Dempsey	Kahn	Ogren	Scheid	
Eken	Kalis	Olsen	Schoenfeld	
Elioff	Kelly	Omann	Sherman	

The motion did not prevail.

Welch and Rose moved to amend S. F. No. 147, the unofficial engrossment, as follows:

Page 2, after line 34 insert:

"Sec. 5. Minnesota Statutes 1982, section 353.27, subdivision 3a, is amended to read:

Subd. 3a. [ADDITIONAL EMPLOYER CONTRIBUTION.] An additional employer contribution shall be made equal to (a) two and one-half percent of the total salary of each "basic member"; and (b) one and one-half percent of the total salary of each "coordinated member." These contributions shall be made from funds available to the employing subdivision by the means and in the manner provided in section 353.28. *The additional employer contributions specified in this subdivision shall not be made in any fiscal year that the assets of the fund exceed the accrued liability of the fund.*"

Renumber the sections accordingly

Amend the title as follows:

Page 1, line 7, delete the second "and"

Page 1, line 8, after the semicolon insert "and 353.27, subdivision 3a"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 71 yeas and 44 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Fjoslien	Johnson	Olsen	Skoglund
Anderson, C.	Forsythe	Kahn	Onnen	Sviggum
Anderson, R.	Frerichs	Kalis	Pauly	Thiede
Bennett	Graba	Knickerbocker	Peterson	Tunheim
Brandl	Greenfield	Krueger	Quist	Uphus
Burger	Gruenes	Kvam	Redalen	Valento
Carlson, D.	Gutknecht	Levi	Reif	Waltman
Clawson	Halberg	Long	Rodriguez, C.	Weich
Cohen	Haukoos	Ludeman	Rose	Welker
Coleman	Heap	Mann	St. Onge	Wynia
DenOuden	Heinitz	McDonald	Schafer	Zaffke
Dimler	Himle	McEachern	Schoenfeld	
Erickson	Hoberg	McKasy	Schreiber	
Evans	Hokr	Norton	Segal	
Findlay	Jennings	Ogren	Shaver	

Those who voted in the negative were:

Battaglia	Elioff	Marsh	Piper	Sherman
Beard	Ellingson	Metzen	Price	Sparby
Begich	Gustafson	Minne	Quinn	Swanson
Berkelman	Hoffman	Murphy	Rice	Valan
Brinkman	Jacobs	Nelson, D.	Riveness	Welle
Carlson, L.	Jensen	Neuenschwander	Rodosovich	Wenzel
Clark, K.	Knuth	O'Connor	Rodriguez, F.	Wigley
Dempsey	Kostohryz	Osthoff	Sarna	Speaker Sieben
Eken	Larsen	Piepho	Scheid	

The motion prevailed and the amendment was adopted.

Knickerbocker moved to amend S. F. No. 147, the unofficial engrossment, as amended, as follows:

Page 3, after line 19, insert:

"(6) *Teachers retirement fund, established pursuant to chapter 354;*

(7) *Minneapolis teachers retirement fund association, established pursuant to chapter 354A;*

(8) *Duluth teachers retirement fund association, established pursuant to chapter 354A;*

(9) *St. Paul teachers retirement fund association, established pursuant to chapter 354A."*

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 86 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Findlay	Knickerbocker	Pauly	Swanson
Anderson, G.	Fjoslien	Knuth	Peterson	Thiede
Anderson, R.	Forsythe	Kostohryz	Piepho	Tomlinson
Bennett	Frerichs	Kvam	Price	Tunheim
Bergstrom	Graba	Larsen	Quist	Uphus
Blatz	Gutknecht	Levi	Redalen	Valento
Brandl	Halberg	Long	Riveness	Vanasek
Burger	Haukoos	Ludeman	Rodriguez, C.	Voss
Carlson, D.	Heap	Mann	Rose	Waltman
Carlson, L.	Himle	Marsh	Schafer	Welch
Clawson	Hoberg	McDonald	Scheid	Welker
Coleman	Hoffman	McKasy	Schoenfeld	Welle
DenOuden	Hokr	Nelson, D.	Schreiber	Wenzel
Dimler	Jacobs	Neuenschwander	Shaver	Zaffke
Eken	Jennings	Norton	Skoglund	
Ellingson	Jensen	Olsen	Sparby	
Erickson	Johnson	Omann	Stadum	
Evans	Kalis	Onnen	Sviggum	

Those who voted in the negative were:

Battaglia	Elioff	Metzen	Piper	Solberg
Beard	Greenfield	Minne	Rice	Valan
Begich	Gustafson	Murphy	Rodosovich	Wigley
Bishop	Heinitz	O'Connor	Rodriguez, F.	Wynia
Brinkman	Kahn	Ogren	St. Onge	Speaker Sieben
Clark, J.	Krueger	Osthoff	Sarna	
Dempsey	McEachern	Otis	Sherman	

The motion prevailed and the amendment was adopted.

Clawson moved to amend S. F. No. 147, the unofficial engrossment, as amended, as follows:

Page 4, after line 2, insert a section:

"Sec. 7. [RULE OF 85; APPROPRIATIONS.] For purposes specified in section 5, subdivision 1, the sum of \$35,600,000 is appropriated in 1984 from the general fund for apportionment to the various teacher retirement associations in the following manner:

(1) teachers retirement association	\$16,000,000
(2) Minneapolis teachers retirement fund association	\$ 2,100,000
(3) St. Paul teachers retirement fund association	\$17,000,000
(4) Duluth teachers retirement fund association	\$ 500,000"

Renumber the sections

Amend the title as follows:

Page 1, line 5, after the second semicolon, insert "appropriating money;"

Pursuant to rule 1.10, Rice withdrew his request for immediate consideration of S. F. No. 147, as amended.

The Speaker resumed the Chair.

H. F. No. 654 was reported to the House.

Burger moved to amend H. F. No. 654, as follows:

Page 5, line 32, delete "\$175,000" and insert "\$166,250"

Page 5, line 33, delete "\$175,000" and insert "\$166,250"

A roll call was requested and properly seconded.

The Speaker called Wynia to the Chair.

The question was taken on the amendment and the roll was called. There were 60 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Begich	Frerichs	Johnson	Omann	Schreiber
Bennett	Gruenes	Knickerbocker	Onnen	Seaberg
Bishop	Gutknecht	Kvam	Osthoff	Skoglund
Blatz	Hailberg	Levi	Pauly	Stadum
Burger	Haukoos	Ludeman	Piepho	Swiggum
Dempsey	Heap	Marsh	Quinn	Thiede
DenOuden	Heinitz	McDonald	Quist	Uphus
Dimler	Himle	McEachern	Redalen	Valento
Evans	Hoberg	McKasy	Reif	Waltman
Findlay	Hokr	Minne	Rose	Welker
Fjoslien	Jacobs	O'Connor	Schafer	Wigley
Forsythe	Jennings	Olsen	Schoenfeld	Zaffke

Those who voted in the negative were:

Anderson, R.	Elioff	Larsen	Riveness	Tunheim
Battaglia	Ellingson	Long	Rodosovich	Valan
Beard	Graba	Mann	Rodriguez, C.	Vanasek
Bergstrom	Greenfield	Munger	Rodriguez, F.	Vellenga
Berkelman	Gustafson	Murphy	St. Onge	Voss
Brandl	Hoffman	Nelson, D.	Sarna	Welch
Brinkman	Jensen	Nelson, K.	Scheid	Welle
Carlson, D.	Kahn	Neuenschwander	Segal	Wenzel
Carlson, L.	Kalis	Ogren	Shaver	Wynia
Clark, K.	Kelly	Otis	Sherman	Speaker Sieben
Clawson	Knuth	Peterson	Solberg	
Coleman	Kostohryz	Piper	Staten	
Eken	Krueger	Price	Swanson	

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

H. F. No. 654, A bill for an act relating to outdoor recreation; requiring a user fee for cross country skiers; creating a cross country ski trail grant-in-aid program; imposing a penalty; appropriating money for recreational purposes; proposing new law coded in Minnesota Statutes, chapter 85.

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 77 yeas and 42 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Clark, K.	Jensen	Nelson, K.	Reif
Battaglia	Clawson	Kahn	Neuenschwander	Rice
Beard	Cohen	Knickerbocker	Ogren	Riveness
Begich	Coleman	Knuth	Olsen	Rodosovich
Bennett	Eken	Krueger	Omann	Rodriguez, C.
Bergstrom	Ellingson	Larsen	Otis	Rodriguez, F.
Bishop	Fjoslien	Long	Pauly	Rose
Brandl	Forsythe	McKasy	Peterson	St. Onge
Burger	Greenfield	Metzen	Piper	Sarna
Carlson, D.	Heinitz	Munger	Price	Scheid
Carlson, L.	Hoffman	Murphy	Quinn	Schoenfeld
Clark, J.	Jacobs	Nelson, D.	Quist	Seaberg

Segal	Staten	Tunheim	Welch	Speaker Sieben
Shaver	Swanson	Valento	Welle	
Solberg	Thiede	Vanasek	Wynia	
Sparby	Tomlinson	Vellenga	Zaffke	

Those who voted in the negative were:

Anderson, B.	Evans	Hokr	O'Connor	Sviggum
Anderson, G.	Findlay	Johnson	Onnen	Uphus
Blatz	Frerichs	Kelly	Osthoff	Voss
Brinkman	Gruenes	Kvam	Piepho	Waltman
Dempsey	Gustafson	Ludeman	Redalen	Welker
DenOuden	Gutknecht	Marsh	Schafer	Wenzel
Dimler	Haukoos	McDonald	Schreiber	
Elioff	Himle	McEachern	Sherman	
Erickson	Hoberg	Minne	Skoglund	

The bill was passed and its title agreed to.

CALL OF THE HOUSE

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

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

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

H. F. No. 796 was reported to the House.

Voss moved to amend H. F. No. 796, the third engrossment, as follows:

Page 1, line 22, delete "\$36,995,000" and insert "\$35,195,000"

Page 3, line 1, delete "\$2,500,000" and insert "\$2,000,000"

Page 4, line 2, delete "\$4,090,000" and insert "\$2,890,000"

Page 4, line 9, delete "\$400,000" and insert "\$350,000"

Page 4, line 19, delete "\$250,000" and insert "\$200,000"

Page 6, line 17, after "by" delete "the commissioner of"

Page 6, line 18, delete "administration upon request of"

Page 6, line 19, after "resources" delete "and"

Page 6, after line 31, insert: "*Work programs involving land acquisition shall include a land acquisition plan. No parcel may be acquired unless it is covered by an acquisition plan.*"

Sec. 7. [REVOLVING LAND FUND STUDY.]

The commissioner of natural resources shall review the concept of a revolving land fund and report to the legislature by January 15, 1984 with his findings and recommendations."

Renumber the remaining sections.

The motion prevailed and the amendment was adopted.

Stadum moved to amend H. F. No. 796, the third engrossment, as amended, as follows:

Page 7, after line 27, insert:

"Sec. 9. [LAND SALES.]

Notwithstanding any law to the contrary, no lands shall be acquired in fee title by the commissioner of natural resources until he has offered for sale and sold in the manner provided by law lands of equal value to private parties."

A roll call was requested and properly seconded.

The Speaker resumed the Chair.

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

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

There were 85 yeas and 39 nays as follows :

Those who voted in the affirmative were :

Anderson, B.	Erickson	Johnson	Omann	Shea
Anderson, C.	Evans	Kalis	Onnen	Sherman
Anderson, R.	Findlay	Knickerbocker	Osthoff	Solberg
Battaglia	Fjoslien	Krueger	Pauly	Sparby
Begich	Forsythe	Kvam	Peterson	Stadum
Bennett	Frerichs	Levi	Piepho	Svigum
Berkelman	Graba	Ludeman	Quist	Thiede
Bishop	Gruenes	Mann	Redalen	Tunheim
Blatz	Gutknecht	Marsh	Reif	Uphus
Brinkman	Halberg	McDonald	Rodosovich	Valan
Burger	Haukoos	McEachern	Rodriguez, C.	Valento
Carlson, D.	Heap	McKasy	Sarna	Waltman
Dempsey	Heinitz	Metzen	Schafer	Welch
DenOuden	Himle	Minne	Schoenfeld	Welker
Dimler	Hoberg	Neuenschwander	Schreiber	Wenzel
Eken	Hokr	Ogren	Seaberg	Wigley
Elioff	Jennings	Olsen	Shaver	Zaffke

Those who voted in the negative were :

Beard	Hoffman	Munger	Riveness	Tomlinson
Carlson, L.	Jacobs	Murphy	Rodriguez, F.	Vanasek
Clark, J.	Jensen	Norton	Rose	Vellenga
Cohen	Kelly	O'Connor	Scheid	Voss
Coleman	Knuth	Otis	Segal	Welle
Ellingson	Kostohryz	Piper	Skoglund	Wynia
Greenfield	Larsen	Price	Staten	Speaker Sieben
Gustafson	Long	Quinn	Swanson	

The motion prevailed and the amendment was adopted.

Burger moved to amend H. F. No. 796, the third engrossment, as amended, as follows :

Page 7, after line 27, insert :

"Sec. 10. [APPROPRIATION REDUCTION.]

Notwithstanding any modification of the provisions of the other sections of this bill, every appropriation specified in sections 2-8 shall be reduced by 5 percent of the amount stated. All expenditures to be made in whole or in part from the appropriations in this bill shall be reduced pro rata to allow implementation of all programs at a level of 95 percent."

Renumber sections as necessary

A roll call was requested and properly seconded.

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

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

There were 42 yeas and 79 nays as follows :

Those who voted in the affirmative were :

Bennett	Forsythe	Johnson	Onnen	Thiede
Blatz	Frerichs	Kvam	Pauly	Uphus
Burger	Gruenes	Levi	Piepho	Valento
Dempsey	Gutknecht	Ludeman	Quist	Waltman
DenOuden	Halberg	Marsh	Redalen	Welker
Dimler	Haukoos	McDonald	Reif	Wigley
Erickson	Heinitz	McKasy	Rose	
Evans	Himle	Olsen	Schafer	
Fjoslien	Hoberg	Omann	Sviggum	

Those who voted in the negative were :

Anderson, B.	Coleman	Krueger	Piper	Solberg
Anderson, G.	Eken	Larsen	Price	Sparby
Anderson, R.	Elioff	Long	Quinn	Staten
Battaglia	Ellingson	Mann	Rice	Swanson
Beard	Graba	McEachern	Riveness	Tomlinson
Begich	Greenfield	Metzen	Rodosovich	Tunheim
Bergstrom	Gustafson	Minne	Rodriguez, C.	Valan
Berkelman	Hoffman	Munger	Rodriguez, F.	Vanasek
Bishop	Jacobs	Murphy	Schoenfeld	Vellenga
Brandl	Jensen	Nelson, D.	Schreiber	Voss
Brinkman	Kahn	Neuenschwander	Seaberg	Welch
Carlson, D.	Kalis	Norton	Segal	Welle
Carlson, L.	Kelly	O'Connor	Shaver	Wenzel
Clark, J.	Knickerbocker	Osthoff	Shea	Wynia
Clawson	Knuth	Otis	Sherman	Speaker Sieben
Cohen	Kostohryz	Peterson	Skoglund	

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

Welker moved to amend H. F. No. 796, the third engrossment, as amended, as follows :

Page 3, line 1, delete "\$2,000,000" and insert "\$940,000"

A roll call was requested and properly seconded.

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

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

There were 24 yeas and 98 nays as follows :

Those who voted in the affirmative were:

Burger	Frerichs	Jennings	Onnen	Swiggum
DenOuden	Gutknecht	Johnson	Pauly	Valento
Dimler	Haukoos	Kvam	Quist	Waltman
Erickson	Heinitz	Ludeman	Redalen	Welker
Fjoslien	Hoberg	McDonald	Schafer	

Those who voted in the negative were:

Anderson, B.	Eken	Larsen	Peterson	Skoglund
Anderson, C.	Elioff	Levi	Piepho	Solberg
Anderson, R.	Ellingson	Long	Piper	Sparby
Battaglia	Evans	Mann	Price	Stadum
Beard	Findlay	Marsh	Quinn	Staten
Begich	Graba	McEachern	Rice	Swanson
Bennett	Greenfield	Metzen	Riveness	Tomlinson
Bergstrom	Gruenes	Minne	Rodosovich	Tunheim
Berkelman	Gustafson	Munger	Rodriguez, C.	Uphus
Blatz	Halberg	Murphy	Rodriguez, F.	Valan
Brandl	Himle	Nelson, D.	Rose	Vanasek
Brinkman	Hoffman	Nelson, K.	St. Onge	Voss
Carlson, D.	Jacobs	Neuenschwander	Sarna	Welch
Carlson, L.	Jensen	Norton	Scheid	Welle
Clark, J.	Kahn	O'Connor	Schoenfeld	Wenzel
Clark, K.	Kalis	Ogren	Schreiber	Wigley
Clawson	Knickerbocker	Olsen	Seaberg	Wynia
Cohen	Knuth	Omamm	Segal	Speaker Sieben
Coleman	Kostohryz	Osthoff	Shaver	
Dempsey	Krueger	Otis	Sherman	

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

Welker moved to amend H. F. No. 796, the third engrossment, as amended, as follows:

Page 3, line 24, delete "\$1,150,000" and insert "\$650,000"

The motion prevailed and the amendment was adopted.

McDonald moved to amend H. F. No. 796, the third engrossment, as amended, as follows:

Page 1, delete lines 26 to 30

Page 2, delete lines 1 to 13

A roll call was requested and properly seconded.

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

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

There were 29 yeas and 88 nays as follows:

Those who voted in the affirmative were:

DenOuden	Frerichs	Hoberg	Omann	Thiede
Dimler	Gruenes	Johnson	Onnen	Uphus
Erickson	Gutknecht	Kvam	Redalen	Waltman
Evans	Halberg	Levi	Reif	Welker
Findlay	Haukoos	Ludeman	Schafer	Wigley
Fjoslien	Heinitz	McDonald	Swiggum	

Those who voted in the negative were:

Anderson, B.	Coleman	Larsen	Peterson	Sherman
Anderson, G.	Dempsey	Long	Piepho	Skoglund
Anderson, R.	Eken	Mann	Piper	Solberg
Battaglia	Elioff	McEachern	Price	Sparby
Beard	Ellingson	McKasy	Quist	Staten
Begich	Forsythe	Metzen	Rice	Tomlinson
Bennett	Graba	Minne	Riveness	Tunheim
Bergstrom	Greenfield	Munger	Rodosovich	Valan
Berkelman	Gustafson	Murphy	Rodriguez, C.	Vanasek
Blatz	Himle	Nelson, D.	Rodriguez, F.	Vellenga
Brandl	Hoffman	Neuenschwander	Rose	Voss
Brinkman	Jacobs	Norton	St. Onge	Welch
Carlson, D.	Jensen	O'Connor	Sarna	Welle
Carlson, L.	Kahn	Ogren	Scheid	Wenzel
Clark, J.	Kalis	Olsen	Schoenfeld	Wynia
Clark, K.	Knuth	Osthoff	Seaberg	Speaker Sieben
Clawson	Kostohryz	Otis	Segal	
Cohen	Krueger	Pauly	Shaver	

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

Findlay moved to amend H. F. No. 796, the third engrossment, as amended, as follows:

Page 2, line 30, delete "ACQUISITION AND"

Page 2, line 31, delete "sums are" and insert "sum is"

Page 2, line 32, delete "acquire and"

Page 2, delete lines 34 to 36

Page 3, delete line 1

Page 3, line 2, delete "(2)" and insert "(1)"

Page 3, line 5, delete "\$3,450,000" and insert "\$4,450,000"

Re-number as required

Amend the title accordingly

A roll call was requested and properly seconded.

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

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

There were 50 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Fjoslien	Johnson	Onnen	Shaver
Bishop	Forsythe	Kalis	Pauly	Sherman
Blatz	Frerichs	Knickerbocker	Piepho	Stadum
Burger	Gutknecht	Levi	Quist	Sviggum
Dempsey	Halberg	Ludeman	Redalen	Thiede
DenOuden	Haukoos	Marsh	Reif	Uphus
Dimler	Heap	McDonald	Rose	Valento
Erickson	Heinitz	McKasy	Schafer	Waltman
Evans	Himle	Olsen	Schreiber	Welker
Findlay	Hokr	Omann	Seaberg	Wigley

Those who voted in the negative were:

Anderson, B.	Eken	Larsen	Price	Swanson
Battaglia	Elioff	Long	Quinn	Tomlinson
Beard	Ellingson	Mann	Rice	Tunheim
Begich	Graba	Metzen	Riveness	Valan
Bennett	Greenfield	Minne	Rodosovich	Vanasek
Bergstrom	Gruenes	Munger	Rodriguez, C.	Vellenga
Berkelman	Gustafson	Murphy	Rodriguez, F.	Voss
Brandl	Hoberg	Nelson, D.	St. Onge	Welch
Brinkman	Hoffman	Neuenschwander	Sarna	Welle
Carlson, D.	Jacobs	Nerton	Scheid	Wenzel
Carlson, L.	Jensen	O'Connor	Schoenfeld	Wynia
Clark, J.	Kahn	Ogren.	Segal	Speaker Sieben
Clark, K.	Kelly	Osthoff	Skoglund	
Clawson	Knuth	Otis	Solberg	
Cohen	Kostohryz	Peterson	Sparby	
Coleman	Krueger	Piper	Staten	

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

Voss moved to amend H. F. No. 796, the third engrossment, as amended, as follows:

Page 4, line 34, delete "4" and insert "5"

The motion prevailed and the amendment was adopted.

H. F. No. 796, A bill for an act relating to parks, open space and recreation; authorizing the issuance of state bonds and expenditure of the proceeds to acquire and better regional recreation open space lands by the metropolitan council and metropolitan area local governmental units; authorizing expenditures for acquisition and betterment of state parks, recreation areas, trails, forests, fishing management lands, wildlife management

areas, natural and scientific areas, wild, scenic, and recreational rivers, canoe and boating routes, and public water access; appropriating money; amending Minnesota Statutes 1982, sections 85.015, by adding a subdivision; and 473.147, subdivision 1.

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

The question was taken on the passage of the bill and the roll was called.

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

There were 104 yeas and 27 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dempsey	Kostohryz	Peterson	Solberg
Anderson, G.	Eken	Krueger	Piepho	Sparby
Anderson, R.	Elioff	Larsen	Piper	Stadum
Battaglia	Ellingson	Long	Price	Staten
Beard	Evans	Mann	Quinn	Swanson
Begich	Findlay	Marsh	Redalen	Thiede
Bennett	Graba	McEachern	Rice	Tomlinson
Bergstrom	Greenfield	McKasy	Riveness	Tunheim
Berkelman	Gustafson	Metzen	Rodosovich	Uphus
Bishop	Halberg	Minne	Rodriguez, F.	Valan
Blatz	Heap	Munger	Rose	Valento
Brandl	Himle	Murphy	St. Onge	Vanasek
Brinkman	Hoberg	Nelson, D.	Sarna	Vellenga
Burger	Hoffman	Neuenschwander	Scheid	Voss
Carlson, D.	Hokr	Norton	Schoenfeld	Welch
Carlson, L.	Jacobs	O'Connor	Scaberg	Welle
Clark, J.	Jensen	Ogren	Segal	Wenzel
Clark, K.	Kahn	Olsen	Shaver	Wynia
Clawson	Kelly	Omamn	Shea	Zaffke
Cohen	Knickerbocker	Osthoff	Sherman	Speaker Sieben
Coleman	Knuth	Otis	Skoglund	

Those who voted in the negative were:

DenOuden	Gruenes	Kvam	Quist	Waltman
Dimler	Haukoos	Levi	Reif	Welker
Erickson	Heinitz	Ludeman	Rodriguez, C.	Wigley
Fjoslien	Jennings	McDonald	Schafer	
Forsythe	Johnson	Onnen	Schreiber	
Frerichs	Kalis	Pauly	Sviggum	

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

CALL OF THE HOUSE LIFTED

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

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 744, A bill for an act relating to motor vehicles; providing for special, free license plates for recipients of the congressional medal of honor; proposing new law coded in Minnesota Statutes, chapter 168.

H. F. No. 1059, A resolution memorializing the President and Congress of the United States to take immediate steps to curb the sources of acid rain.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 870, A bill for an act relating to state government; authorizing the commissioner of the department of economic security to adopt permanent or temporary rules; proposing new law coded in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 1982, section 268.12, subdivision 3.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee.

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. 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.

The Senate has appointed as such committee Messrs. Peterson, C. C.; Renneke; Peterson, R. W.; Frederickson and Moe, D. M.

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. 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 Senate has appointed as such committee Messrs. Peterson, R. W.; Spear; Johnson, D. E.; Ms. Reichgott and Mr. Petty.

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. 553, A bill for an act relating to elections; changing certain election procedures, requirements, and time limits; amending Minnesota Statutes 1982, sections 201.071, subdivision 1; 203B.02, subdivision 1; 203B.04, subdivision 1; 203B.21, subdivision 2; 204B.12, subdivision 1; 204B.19, subdivision 1; 204B.21, subdivision 1; 204B.27, subdivision 1; 204B.34, subdivision 1; 204B.35, subdivision 4; 204C.03, by adding a subdivision; 204C.05, subdivision 1; 204C.32, subdivision 2; 204C.33, subdivision 2; 204D.06; 204D.11, subdivisions 1 and 5; 204D.14; 204D.15, subdivision 2; 205.03, subdivisions 1 and 3; and 209.02, subdivision 4; repealing Minnesota Statutes 1982, sections 201.-

091, subdivisions 6 and 7; 204B.12, subdivision 2; and 204B.36, subdivision 5.

The Senate has appointed as such committee Messrs. Hughes, Storm and Ms. Peterson, D. C.

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. 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.

The Senate has appointed as such committee Messrs. Dieterich, Sieloff and Ms. Peterson, D. C.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 238.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee.

Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 238

A bill for an act relating to mining; including peat within the provisions of mineland reclamation laws; requiring adoption of certain reclamation rules prior to issuance of metallic mining permits; amending Minnesota Statutes 1982, sections 93.44; 93.46, subdivisions 2 and 6; and 93.481, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 93.

May 16, 1983

The Honorable Jerome M. Hughes
President of the Senate

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

We, the undersigned conferees for S. F. No. 238, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 238 be amended as follows:

Page 2, after line 19, insert:

"(a) For the purposes of sections 93.46 to 93.51, "peat mining" means the removal of peat for commercial purposes, including activities associated with the removal. "Peat mining" does not include removal of peat which is incidental to the harvesting of an agricultural or horticultural crop, or to mining of a metallic mineral that is subject to a mineland reclamation rule and a permit to mine."

Page 2, line 20, delete "(a)" and insert "(b)"

Page 2, line 24, delete "(b)" and insert "(c)"

Page 2, line 29, delete "2,000" and insert "1,000"

Page 2, line 31, delete "at least 90 days"

We request adoption of this report and repassage of the bill.

Senate Conferees: A. W. "BILL" DIESSNER, GENE MERRIAM and JOHN BERNHAGEN.

House Conferees: WILLARD M. MUNGER, DARBY NELSON and DOUGLAS W. CARLSON.

Munger moved that the report of the Conference Committee on S. F. No. 238 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 238, A bill for an act relating to mining; including peat within the provisions of mineland reclamation laws; requiring adoption of certain reclamation rules prior to issuance of metallic mining permits; amending Minnesota Statutes 1982, sections 93.44; 93.46, subdivisions 2 and 6; and 93.481, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 93.

The bill was read for the third time, as amended by Conference, 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 10 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Dimler	Frerichs	Jennings	McDonald	Welker
Erickson	Haukoos	Ludeman	Schafer	Zaffke

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

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 267.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee.

Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 267

A bill for an act relating to taxation; increasing the amount of reduced valuations required to be maintained as public record; allowing the commissioner discretion in apportioning levies; increasing the amount of reduction in valuation requiring an opportunity for hearing; allowing county auditors to combine legal descriptions over section lines; classifying farm rental value data; excluding certain corporations from receiving agricultural property tax valuation; providing for continuation of open space treatment; providing for the assessment of certain class 3 property based upon its use; requiring publication of certain requirements for obtaining a homestead after the assessment date; removing special taxing districts from levy limits; allowing counties to charge for NSF checks; providing for rounding of tax amounts on tax statements; directing the use of the previous years mill rate when distributing delinquent tax proceeds; changing the date for filing list of delinquent personal property taxes; extending application of the alternate sale procedure; increasing the fee for lost deeds; changing the process for distributing mortgage registration tax proceeds; raising the fee for trip permits; requiring filing of an amended estate tax return in certain situations; clarifying the date interest accrues on estate tax amounts due; providing for department action following the filing of an amended return; requiring state's share of federal credit to not be less than state's share of the estate; providing a definition of surviving spouse for estate tax purposes; requiring filing of final account to commissioner of revenue; changing the requirement for filing a declaration of estimated gross earnings tax; imposing a penalty for failure to pay estimated gross earnings tax; extending the time allowed to claim gasoline or special fuel tax refunds; changing the requirements relating to distribution of free samples of cigarettes; imposing a penalty for failure to pay the tax on wines and spirituous liquors; conforming penalties for non-payment of tax on beer to penalties imposed on other taxes; delaying implementation of the assessment penalty; requiring payment of current taxes before a plat is recorded; amending Minnesota Statutes 1982, sections 270.10, subdivisions 1 and 3; 270.12, subdivision 3; 270.19; 272.46, subdivision 2; 273.11, subdivision 7; 273.111, subdivision 3; 273.112, subdivision 7, and by adding a subdivision; 273.13, subdivisions 4, and 16; 275.50, subdivision 2; 276.02; 276.04; 276.10; 277.02; 282.01, subdivision 7a; 282.33, subdivision 1; 287.08; 291.005, subdivision 1; 291.03, subdivision 1; 291.07, subdivision 1; 291.09, subdivision 3a; 291.131, subdivision 6; 291.132, subdivision 1; 291.215, subdivision 3; 295.365; 295.366, subdivision 1; 296.17, subdivisions 3 and 17; 297.03, subdivision 10; 340.485, subdivision 1, and by adding subdivisions; 340.492; 477A.04; 505.04; repealing Minnesota Statutes 1982, sections 272.022; 272.023; 272.024; 273.13, subdivision 18; 273.23; 273.24; 273.28; 273.29; 273.30; 273.31; 273.34; 273.44; 273.45; 273.52; 288.01; 288.02; 288.03; 288.04; 288.05; 291.07, subdivision 3; and 473F.04.

May 12, 1983

The Honorable Jerome M. Hughes
President of the Senate

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

We, the undersigned conferees for S. F. No. 267, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accede to the amendments of the House and that S. F. No. 267, be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 270.10, subdivision 1, is amended to read:

Subdivision 1. [IN WRITING; APPROVAL BY ATTORNEY GENERAL.] All orders and decisions of the commissioner of revenue, or any of his subordinates, respecting any tax, assessment, or other obligation, shall be in writing, filed in the offices of the department. No order or decision *issued after June 30, 1983*, increasing or decreasing any tax, assessment, or other obligation by a sum exceeding (\$500) \$1,000 on real or personal property, or the assessed valuation thereof, or other obligation relating thereto, the result of which is to increase or decrease the total amount payable including penalties and interest, by a sum exceeding \$1,000, and no order or decision increasing or decreasing any other tax by a sum exceeding \$1,000 exclusive of penalties and interest, shall be made without the written signature or facsimile signature of the commissioner, a deputy commissioner, assistant commissioner, division director, or acting division director in each case. Written notice of every order granting a reduction, abatement, or refundment exceeding \$5,000 of any tax exclusive of penalties and interest, shall be given within five days to the attorney general. The attorney general shall forthwith examine such order, and if he deems the same proper and legal he shall approve the same in writing, and may waive the right of appeal therefrom in behalf of the state; otherwise he shall take an appeal from the order in behalf of the state as herein provided; but written approval of the commissioner or his deputy and written notice to the attorney general, shall not be required with respect to the following orders: (1) orders reducing assessed valuation of property by reason of its classification as a homestead; (2) orders not involving refunds which have the effect only of correcting income and franchise tax assessments to conform to the amounts shown on final returns filed as provided by section 290.42, clause (6); (3) original orders for the refundment of gasoline and special fuel taxes.

Sec. 2. Minnesota Statutes 1982, section 270.10, subdivision 3, is amended to read:

Subd. 3. [REDUCTIONS, ABATEMENTS, REFUNDMENTS; STATEMENT.] The commissioner shall maintain as a public record in the department a statement of all abatements, reductions, and refundments of assessments, taxes, or other obligations granted by the department during the biennium, which require the written approval of the commissioner or his deputy, and of which written notice to the attorney general is required, under the provisions of subdivision 1; and, all reductions of assessed valuation of more than (\$50,000) \$100,000 and all reductions, refundments, or abatements of real estate tax of more than \$1,000 shall be separately shown in such statement. Such statement shall show the names of all taxpayers or other persons concerned, the original amount of each assessment, tax, or other obligation, the amount of abatement, reduction, or refundment allowed in each case, and the totals of the respective items, notwithstanding any provisions of law requiring secrecy to the contrary. The commissioner shall include in such statement the amount of all increases of taxes or assessments made by the department, classified in such manner as he may deem proper, but not showing the names of taxpayers or other persons concerned or the amounts in individual cases.

Sec. 3. Minnesota Statutes 1982, section 270.12, subdivision 3, is amended to read:

Subd. 3. (FOR TAXES LEVIED IN 1980 AND 1981, WHEN A TAXING JURISDICTION LIES IN TWO OR MORE COUNTIES, AND THE SALES RATIO STUDIES PREPARED BY THE DEPARTMENT OF REVENUE SHOW THAT THE AVERAGE LEVEL OF ASSESSMENT IN THE SEVERAL PORTIONS OF THE DISTRICT IN THE DIFFERENT COUNTIES DIFFERS BY MORE THAN 20 PERCENT, THE BOARD SHALL ORDER THAT THE LEVY OF THE TAXING JURISDICTION BE APPORTIONED AMONG THE PORTIONS IN THE DIFFERENT COUNTIES IN THE SAME PROPORTION AS THE ADJUSTED ASSESSED VALUE AS DETERMINED BY THE EQUALIZATION AID REVIEW COMMITTEE IN EACH PORTION IS TO THE TOTAL ADJUSTED ASSESSED VALUE, AS DETERMINED BY THE EQUALIZATION AID REVIEW COMMITTEE, OF THE TAXING JURISDICTION; IF THE STUDIES SHOW THAT THE LEVEL DIFFERS BY MORE THAN FIVE PERCENT, THE BOARD MAY ORDER THE APPORTIONMENT OF THE LEVY.) For taxes levied in (1982) 1983 and thereafter *when a taxing jurisdiction lies in two or more counties, if the sales ratio studies prepared by the department of revenue show that the (LEVEL DIFFERS) average levels of assessment in the several portions of the taxing jurisdictions in the different counties differ by more than five percent, the board shall order the apportionment of the levy, unless (a) the proportion of total*

adjusted assessed value in one of the counties is less than ten percent of the total adjusted assessed value in the taxing jurisdiction and the average level of assessment in that portion of the taxing jurisdiction is the level which differs by more than five percent from the assessment level in any one of the other portions of the taxing jurisdiction; (b) significant changes have been made in the level of assessment in the taxing jurisdiction which have not been reflected in the sales ratio study, and those changes alter the assessment levels in the portions of the taxing jurisdiction so that the assessment level now differs by five percent or less; or (c) commercial, industrial, mineral, or public utility property predominates in one county within the taxing jurisdiction and another class of property predominates in another county within that same taxing jurisdiction. If one or more of these factors are present, the board may order the apportionment of the levy.

If, pursuant to this subdivision, the board apportions the levy, then that levy apportionment among the portions in the different counties shall be made in the same proportion as the adjusted assessed value as determined by the equalization aid review committee in each portion is to the total adjusted assessed value of the taxing jurisdiction.

For the purposes of this section, the average level of assessment in a taxing jurisdiction or portion thereof shall be the aggregate assessment sales ratio. Assessed values as determined by the equalization aid review committee shall be the values as determined for the year preceding the year in which the levy to be apportioned is levied.

Actions pursuant to this subdivision shall be commenced subsequent to the annual meeting on August 15 of the state board of equalization, but notice of the action shall be given to the affected jurisdiction and the appropriate county auditors by the following November 15.

Apportionment of a levy pursuant to this subdivision shall be considered as a remedy to be taken after equalization pursuant to subdivision 2, and when equalization within the jurisdiction would disturb equalization within other jurisdictions of which the several portions of the jurisdiction in question are a part.

Sec. 4. Minnesota Statutes 1982, section 270.19, is amended to read:

270.19 [MUNICIPALITIES TO BE PARTY TO TAX HEARINGS.]

Any city, town, school district, or county (all of which governmental subdivisions shall be embraced in the word "municipality" as used hereinafter) may appear at and become a party to any proceedings before the commissioner of revenue held for

the purpose of equalizing or assessing any real or personal property in such municipality, or reducing the assessed valuation of any such property. For that purpose any such municipality may employ counsel and disburse money for other expenses in connection with such proceedings, on duly itemized, verified claims, which shall be audited and allowed as now provided by law for the allowance of claims against a municipality. It shall be the duty of the commissioner of revenue, at the time of such hearing, to grant the municipality, at its request, such further reasonable time as may be necessary for such municipality to prepare for further hearing. Before granting any reduction in assessed valuation exceeding (\$50,000) \$100,000, it shall be the duty of the commissioner of revenue, when any taxpayer or property owner has applied to the *commissioner after June 30, 1983*, for a reduction of the assessed valuation of any real or personal property in an amount exceeding (\$50,000) \$100,000, to give written notice to the officials of the municipality wherein such property is located and to permit such municipality to have reasonable opportunity to be heard at any proceedings concerning such reduction.

Sec. 5. Minnesota Statutes 1982, section 272.03, subdivision 1, is amended to read:

Subdivision 1. [REAL PROPERTY.] (a) For the purposes of taxation, "real property" includes the land itself, *rails, ties, and other track materials annexed to the land*, and all buildings, structures, and improvements or other fixtures on it, and all rights and privileges belonging or appertaining to it, and all mines, minerals, quarries, fossils, and trees on or under it.

(b) A building or structure shall include the building or structure itself, together with all improvements or fixtures annexed to the building or structure, which are integrated with and of permanent benefit to the building or structure, regardless of the present use of the building, and which cannot be removed without substantial damage to itself or to the building or structure.

(c) (i) The term real property shall not include tools, implements, machinery, and equipment attached to or installed in real property for use in the business or production activity conducted thereon, regardless of size, weight or method of attachment.

(ii) The exclusion provided in clause (c) (i) shall not apply to machinery and equipment includable as real estate by clauses (a) and (b) even though such machinery and equipment is used in the business or production activity conducted on the real property if and to the extent such business or production activity consists of furnishing services or products to other buildings or structures which are subject to taxation under this chapter.

Sec. 6. Minnesota Statutes 1982, section 272.46, subdivision 2, is amended to read:

Subd. 2. [AUDITOR TO COMBINE LEGAL DESCRIPTIONS.] The county auditor, upon written application of any person, shall for property tax purposes only, combine legal descriptions, as defined in section 272.195, of contiguous parcels to which the applicants hold title.

The county auditor shall not be required to combine legal descriptions over section lines in the following situations: when the parcels to be combined are located in different school districts or different taxing jurisdictions or when a combination of legal descriptions would require the auditor's office to modify an existing record-keeping system.

Sec. 7. Minnesota Statutes 1982, section 273.11, subdivision 7, is amended to read:

Subd. 7. [AGRICULTURAL LAND.] Tillable agricultural land shall be valued at the lesser of its market value or the value which could be derived from capitalizing its free market gross rental rate as determined for that grade of land at a rate of 5.6 percent. Each county assessor shall survey the farm rental values of each grade of farmland in each township in the county and shall determine a farm rental value to be used for the assessment of each grade. The values so determined shall be presented to township boards of review at their annual meetings held pursuant to section 274.01 in the year prior to that in which those values might be used in determining tillable agricultural land values. The boards of review and any property owners may present their comments on the values, including any evidence indicating that the values are inaccurate, by December 1 of the year when the values were presented to the board. The county assessor shall make his final determination of assessed valuations for January 2 of the subsequent year based on his determinations of the farm rental values as modified by any comments of board members or other property owners that he finds persuasive. Nontillable agricultural land and buildings on agricultural land shall be valued in the usual manner. *The data collected by political subdivisions relating to farm rental values shall be classified as private data pursuant to section 13.02, subdivision 12. Any data collected shall be made available to the commissioner and, upon request, to other county assessors.*

Sec. 8. Minnesota Statutes 1982, section 273.111, subdivision 3, is amended to read:

Subd. 3. Real estate consisting of ten acres or more shall be entitled to valuation and tax deferral under this section only if it is actively and exclusively devoted to agricultural use as defined in subdivision 6 and either (1) is the homestead of the

owner, or of a surviving spouse, child, or sibling of the owner or is real estate which is farmed with the real estate which contains the homestead property, or (2) has been in possession of the applicant, his spouse, parent, or sibling, or any combination thereof, for a period of at least seven years prior to application for benefits under the provisions of Laws 1969, Chapter 1039, or (3) is the homestead of a shareholder in a family farm corporation as defined in section 500.24, notwithstanding the fact that legal title to the real estate may be held in the name of the family farm corporation. *Valuation of real estate under this section is limited to parcels the ownership of which is in noncorporate entities except for family farm corporations organized pursuant to section 500.24. Corporate entities who previously qualified for tax deferment pursuant to this section and who continue to otherwise qualify under subdivisions 3 and 6 for a period of at least three years following the effective date of this section will not be required to make payment of the previously deferred taxes, notwithstanding the provisions of subdivision 9. Sale of the land prior to the expiration of the three-year period shall result in payment of deferred taxes as follows: sale within the first year requires payment of payable 1980, 1981, and 1982 deferred taxes; sale during the second year requires payment of payable 1981 and 1982 taxes deferred; and sale at any time during the third year will require payment of payable 1983 taxes deferred. Deferred taxes shall be paid even if the land qualifies pursuant to subdivision 11a. Special assessments are payable at the end of the three-year period or at time of sale, whichever comes first.*

Sec. 9. Minnesota Statutes 1982, section 273.112, subdivision 7, is amended to read:

Subd. 7. When real property which is being, or has been, valued and assessed under this section (IS SOLD OR) no longer qualifies under subdivision 3, (THE PORTION SOLD OR) the portion which no longer qualifies (UNDER SUBDIVISION 3) shall be subject to additional taxes, in the amount equal to the difference between the taxes determined in accordance with subdivision 4, and the amount determined under subdivision 5, provided, however, that the amount determined under subdivision 5 shall not be greater than it would have been had the actual bona fide sale price of the real property at an arms length transaction been used in lieu of the market value determined under subdivision 5. (SUCH) *The* additional taxes shall be extended against the property on the tax list for the current year, provided, however, that no interest or penalties shall be levied on (SUCH) *the* additional taxes if timely paid, and provided further, that (SUCH) *the* additional taxes shall only be levied with respect to the last seven years that the (SAID) property has been valued and assessed under this section.

Sec. 10. Minnesota Statutes 1982, section 273.112, is amended by adding a subdivision to read:

Subd. 10. When title to real property qualifying under subdivision 3 is transferred, no additional taxes shall be extended against the property if (a) the property continues to qualify pursuant to subdivision 3 and (b) the purchaser files an application for continued deferment of taxes pursuant to subdivision 6 within 30 days after the sale.

Sec. 11. Minnesota Statutes 1982, section 273.13, subdivision 4, is amended to read:

Subd. 4. [CLASS 3.] (a) Tools, implements and machinery of an electric generating, transmission or distribution system or a pipeline system transporting or distributing water, gas, or petroleum products or mains and pipes used in the distribution of steam or hot or chilled water for heating or cooling buildings, which are fixtures, all agricultural land, except as provided by classes 1, 3b, 3e, (ALL BUILDINGS AND STRUCTURES ASSESSED AS PERSONAL PROPERTY AND SITUATED UPON LAND OF THE STATE OF MINNESOTA OR THE UNITED STATES GOVERNMENT WHICH IS RURAL IN CHARACTER AND DEVOTED OR ADAPTABLE TO RURAL BUT NOT NECESSARILY AGRICULTURAL USE) shall constitute class 3 and shall be valued and assessed at 33-1/3 percent of the market value thereof, except as provided in clause (b). *All buildings and structures assessed as personal property and situated upon land of the state of Minnesota or the United States government which is rural in character and devoted or adaptable to rural but not necessarily agricultural use shall be assessed based upon the use made of the building or structure.* Except as provided in subdivision 5a, all real property devoted to temporary and seasonal residential occupancy for recreational purposes, and which is not devoted to commercial purposes for more than 200 days in the year preceding the year of assessment, shall be class 3 property and assessed accordingly. For this purpose, property is devoted to commercial use on a specific day if it is used, or offered for use, and a fee is charged for such use. Class 3 shall also include commercial use real property used exclusively for recreational purposes in conjunction with class 3 property devoted to temporary and seasonal residential occupancy for recreational purposes, up to a total of two acres, provided the property is not devoted to commercial recreational use for more than 200 days in the year preceding the year of assessment and is located within two miles of the class 3 property with which it is used.

(b) Agricultural land which is classified as class 3 shall be assessed at 19 percent of its market value. Real property devoted to temporary and seasonal residential occupancy for recreation purposes which is classified as class 3 shall be assessed at 21 percent of its market value.

Sec. 12. Minnesota Statutes 1982, section 273.13, subdivision 16, is amended to read:

Subd. 16. [HOMESTEAD ESTABLISHED AFTER ASSESSMENT DATE.] (1) Any property which was not used for the purpose of a homestead on the assessment date, but which was used for the purpose of a homestead on June 1 of such year, shall constitute class 3b, class 3c or class 3cc, as the case may be, to the extent of one-half of the valuation which would have been includible in such class and one-half the homestead tax credit to which it would have been entitled had the property been used as a homestead on both such dates.

(2) Any taxpayer meeting the requirements of clause (1) must notify the county assessor, or the assessor who has the powers of the county assessor pursuant to section 273.063, in writing, prior to June 15 of such year in order to qualify thereunder.

The county assessor and the county auditor are hereby empowered to make the necessary changes on their assessment and tax records to provide for proper homestead classification and credit as provided in clauses (1) and (2).

(3) The owner of any property qualifying under this subdivision, which has not been accorded the benefits of this subdivision, regardless of whether or not the notification required in clause (2) has been timely filed, may be entitled to receive such benefits by proper application as provided in sections 270.07 or 375.192.

The county assessor shall cause to be published in a newspaper of general circulation within the county no later than June 1 of each year a notice to the public informing them of the requirement to file an application for homestead prior to June 15.

Sec. 13. Minnesota Statutes 1982, section 273.13, is amended by adding a subdivision to read:

Subd. 21. [LIMITATION ON HOMESTEAD CLASSIFICATION.] If the assessor has classified property as both homestead and nonhomestead, only the values attributable to the portion of the property classified as 3b, 3c, or 3cc shall be entitled to homestead treatment.

Except for buildings containing fewer than three units classified pursuant to section 273.13, subdivision 19, if the portion of a building used as the owner's homestead is separate from other dwelling units in the building, only the owner's residence plus the land attributable to the residence is to receive either the 3b, 3c, or 3cc classification.

Sec. 14. Minnesota Statutes 1982, section 275.50, subdivision 2, is amended to read:

Subd. 2. [GOVERNMENTAL SUBDIVISION.] "Governmental subdivision" means a county, home rule charter city, statutory city, or town (OR SPECIAL TAXING DISTRICT DETERMINED BY THE DEPARTMENT OF REVENUE), except a town that has a population of less than 5,000 according to the most recent federal census, provided that the population of an incorporated municipality located within the boundaries of a town is not included in the population of the town. The term does not include school districts (OR), the metropolitan transit commission created pursuant to section 473.404, or special taxing districts as determined by the department of revenue.

Sec. 15. Minnesota Statutes 1982, section 276.02, is amended to read:

276.02 [TREASURER TO BE COLLECTOR.]

The county treasurer shall be the receiver and collector of all the taxes extended upon the tax lists of the county, whether levied for state, county, city, town, school, poor, bridge, road, or other purposes and of all fines, forfeitures, or penalties received by any person or officer for the use of the county. He shall proceed to collect the same according to law and place the same when collected to the credit of the proper funds. This section shall not apply to fines and penalties accruing to municipal corporations for the violation of their ordinances which are recoverable before a city justice. *The county board may by resolution authorize the treasurer to impose a charge for any dishonored checks.*

Sec. 16. Minnesota Statutes 1982, section 276.04, is amended to read:

276.04 [NOTICE OF RATES; PROPERTY TAX STATEMENTS.]

On receiving the tax lists from the county auditor, the county treasurer shall, if directed by the county board, give three weeks' published notice in a newspaper specifying the rates of taxation for all general purposes and the amounts raised for each specific purpose. He shall, whether or not directed by the county board, cause to be printed on all tax statements, or on an attachment, a tabulated statement of the dollar amount due to each taxing authority and the amount to be paid to the state of Minnesota from the parcel of real property for which a particular tax statement is prepared. The dollar amounts due the state, county, township or municipality and school district shall be separately stated but the amounts due other taxing districts, if any, may be aggregated. *The dollar amounts may be rounded to the nearest even whole dollar. For purposes of this section whole odd-numbered dollars may be adjusted to the next higher even-numbered dollar.* The property tax statements for class 2a property shall contain the same information that is required on the tax statements for real property. The county

treasurer shall mail to taxpayers statements of their personal property taxes due, such statements to be mailed not later than February 15 (except in the case of Class 2a property), statements of the real property taxes due shall be mailed not later than January 31; provided, that the validity of the tax shall not be affected by failure of the treasurer to mail such statement. Such real and personal property tax statements shall contain the market value, as defined in section 272.03, subdivision 8, used in determining the tax. The statement shall show the amount attributable to section 124.2137 as "state paid agricultural credit" and the amount attributable to section 273.13, subdivisions 6 and 7 as "state paid homestead credit". The statement shall show the reduction attributable to the aid given pursuant to section 273.139 and shall indicate that the reduction is paid by the state of Minnesota. If so directed by the county board, the treasurer shall visit places in the county as he deems expedient for the purpose of receiving taxes and the county board is authorized to pay the expenses of such visits and of preparing duplicate tax lists.

Sec. 17. Minnesota Statutes 1982, section 276.10, is amended to read:

276.10 [APPORTIONMENT AND DISTRIBUTION OF FUNDS.]

On the settlement day in March, June, and November of each year, the county auditor and county treasurer shall distribute all undistributed funds in the treasury, apportioning them, as provided by law, and placing them to the credit of the state, town, city, school district, special district and each county fund. Within 20 days after the distribution is completed, the county auditor shall make a report of it to the state auditor in the form prescribed by the state auditor. The county auditor shall issue his warrant for the payment of moneys in the county treasury to the credit of the state, town, city, school district, or special districts on application of the persons entitled to receive them. *The county auditor may apply the mill rate from the year previous to the year of distribution when apportioning and distributing delinquent tax proceeds, provided that the composition of the previous year's mill rate between taxing districts is not significantly different than that which existed for the year of the delinquency.*

Sec. 18. Minnesota Statutes 1982, section 277.02, is amended to read:

277.02 [DELINQUENT LIST FILED IN COURT.]

On the (TENTH) last secular day of July, of each year, the county treasurer shall make a list of all personal property taxes remaining delinquent July first, and shall immediately certify

to and file the same with the clerk of the district court of his county, and upon such filing the list shall be prima facie evidence that all of the provisions of law in relation to the assessment and levy of such taxes have been complied with.

Sec. 19. Minnesota Statutes 1982, section 282.01, subdivision 7a, is amended to read:

Subd. 7a. [ALTERNATE SALE PROCEDURE.] Land located in a home rule charter or statutory city, or in a town described in section 368.01, subdivision 1, which cannot be improved because of noncompliance with local ordinances regarding minimum area, shape, frontage or access may be sold by the county auditor pursuant to this subdivision if the auditor determines that a nonpublic sale will encourage the approval of sale of the land by the city or town and promote its return to the tax rolls. *If the physical characteristics of the land indicate that its highest and best use will be achieved by combining it with an adjoining parcel and the city or town has not adopted a local ordinance governing minimum area, shape, frontage, or access, the land may also be sold pursuant to this subdivision.* The sale of land pursuant to this subdivision shall be subject to any conditions imposed by the county board pursuant to section 282.03. The governing body of the city or town may recommend to the county board conditions to be imposed on the sale. The county auditor may restrict the sale to owners of lands adjoining the land to be sold. The county auditor shall conduct the sale by sealed bid or may select another means of sale. The land shall be sold to the highest bidder but in no event shall the land be sold for less than its appraised value. All owners of land adjoining the land to be sold shall be given a written notice at least 30 days prior to the sale.

This subdivision shall be liberally construed to encourage the sale and utilization of tax-forfeited land, to eliminate nuisances and dangerous conditions and to increase compliance with land use ordinances.

Sec. 20. Minnesota Statutes 1982, section 282.33, subdivision 1, is amended to read:

Subdivision 1. Whenever an unrecorded deed from the state of Minnesota conveying tax-forfeited lands shall have been lost or destroyed, an application, in form approved by the attorney general, for a new deed may be made by the grantee or his successor in interest to the commissioner of revenue. If it appears to the commissioner of revenue that the facts stated in the petition are true, he shall issue a new deed to the original grantee, in form approved by the attorney general, with like effect as the original deed. The application shall be accompanied by a fee of (\$3) \$10, payable to the commissioner of revenue, which shall

be deposited with the state treasurer and credited to the general fund.

Sec. 21, Minnesota Statutes 1982, section 287.08, is amended to read:

287.08 [TAX, HOW PAYABLE; RECEIPTS.]

The tax imposed by sections 287.01 to 287.12 shall be paid to the treasurer of the county in which the mortgaged land or some part thereof is situated at or before the time of filing the mortgage for record or registration. The treasurer shall endorse his receipt on the mortgage, countersigned by the county auditor, who shall charge the amount to the treasurer and such receipt shall be recorded with the mortgage, and such receipt of the record thereof shall be conclusive proof that the tax has been paid to the amount therein stated and authorize any county recorder to record the mortgage. Its form, in substance, shall be "registration tax hereon of _____ dollars paid."

If the mortgages be exempt from taxation the endorsement shall be "exempt from registration tax," to be signed in either case by the treasurer as such, and in case of payment to be countersigned by the auditor. In case the treasurer shall be unable to determine whether a claim of exemption should be allowed, the tax shall be paid to the clerk of the district court of the county to abide the order of such court made upon motion of the county attorney, or of the claimant upon notice as required by the court. When any such mortgage covers real property situate in more than one county in this state the whole of such tax shall be paid to the treasurer of the county where the mortgage is first presented for record or registration, and the payment shall be received and countersigned as above provided (, AND SUCH). *When the amount of the tax is \$100 or more, the tax shall be divided and paid over by the county treasurer receiving the same, on or before the tenth day of each month after receipt thereof, to the county or counties entitled thereto in the ratio which the (ASSESSED) market value of the real property covered by the mortgage in each county bears to the (ASSESSED) market value of all the property described in the mortgage. In making such division and payment the county treasurer shall send therewith a statement giving the description of the property described in the mortgage and the (ASSESSED) market value of the part thereof situate in each county. For the purpose aforesaid, the treasurer of any county may require the treasurer of any other county to certify to him the (ASSESSED) market valuation of any tract of land in any such mortgage.*

Sec. 22. Minnesota Statutes 1982, section 291.005, subdivision 1, is amended to read:

Subdivision 1. Unless the context otherwise clearly requires, the following terms used in this chapter shall have the following meanings:

(1) "Federal gross estate" means the gross estate of a decedent as valued and otherwise determined for federal estate tax purposes by federal taxing authorities pursuant to the provisions of the Internal Revenue Code.

(2) "Minnesota gross estate" means the federal gross estate of a decedent after (a) excluding therefrom any property included therein which has its situs outside Minnesota and (b) including therein any property omitted from the federal gross estate which is includable therein, has its situs in Minnesota, and was not disclosed to federal taxing authorities. The Minnesota gross estate shall be valued pursuant to the provisions of section 291.215, subdivision 1.

(3) "Personal representative" means the executor, administrator or other person appointed by the court to administer and dispose of the property of the decedent. If there is no executor, administrator or other person appointed, qualified, and acting within this state, then any person in actual or constructive possession of any property having a situs in this state which is included in the federal gross estate of the decedent shall be deemed to be a personal representative to the extent of the property and the Minnesota estate tax due with respect to the property.

(4) "Resident decedent" means an individual whose domicile at the time of his death was in Minnesota.

(5) "Nonresident decedent" means an individual whose domicile at the time of his death was not in Minnesota.

(6) "Situs of property" means, with respect to real property, the state or country in which it is located; with respect to tangible personal property, the state or country in which it was normally kept or located at the time of the decedent's death; and with respect to intangible personal property, the state or country in which the decedent was domiciled at death.

(7) "Commissioner" means the commissioner of revenue or any person to whom the commissioner has delegated functions under this chapter.

(8) "Internal Revenue Code" means the United States Internal Revenue Code of 1954 as amended through (DECEMBER 31, 1981) *March 12, 1983*.

Sec. 23. Minnesota Statutes 1982, section 291.03, subdivision 1, is amended to read:

Subdivision 1. [GENERALLY.] The tax imposed shall be an amount equal to the greater of:

(1) A tax computed by applying to the Minnesota taxable estate the following prescribed rates:

10 percent on the first \$100,000,

11 percent on the next \$500,000 or part thereof,

12 percent on the excess, or

(2) A tax equal to the (AMOUNT BY WHICH THE MAXIMUM CREDIT ALLOWABLE UNDER SECTION 2011 OF THE INTERNAL REVENUE CODE FOR STATE DEATH TAXES EXCEEDS THE AGGREGATE AMOUNT OF ALL ESTATE, INHERITANCE, LEGACY AND SUCCESSION TAXES ACTUALLY PAID TO OTHER STATES OF THE UNITED STATES IN RESPECT OF ANY PROPERTY SUBJECT TO FEDERAL ESTATE TAX; PROVIDED THAT WHERE THE DECEDENT IS A NONRESIDENT THE TAX SHALL BE IN THE) same proportion of the maximum credit allowable under section 2011 of the Internal Revenue Code for state death taxes described herein as the Minnesota gross estate bears to the value of the federal gross estate. *The tax determined under this paragraph shall not be greater than the maximum credit allowable under section 2011 of the Internal Revenue Code.*

Sec. 24. Minnesota Statutes 1982, section 291.07, subdivision 1, is amended to read:

Subdivision 1. In determining the tax imposed by section 291.01, the following additional deductions shall be allowed:

- (1) funeral expenses;
- (2) reasonable legal, accounting, fiduciary and administration expenses and fees with respect to both probate and nonprobate assets, including but not limited to expenses incurred during administration in converting real and personal property held by the estate into cash;
- (3) expenses of last illness unpaid at death;
- (4) valid claims against and debts of the decedent, unpaid at death, which have been properly paid;
- (5) (MINNESOTA AND FEDERAL INCOME TAXES ON "INCOME IN RESPECT OF A DECEDENT," AS COMPUTED UNDER SUBDIVISION 3;)
- (6) the portion of the federal estate tax allocable to Minnesota, which shall equal the amount obtained by multiplying the federal estate tax due and payable to the United States Treasury

by a fraction, the numerator of which shall equal the value of the Minnesota gross estate reduced by: (a) in the case of a resident decedent, the deductions and exemptions allowed by sections 291.05, 291.051, 291.065, 291.07, subdivision 1, clauses (1), (2), (3), (4), ((5)), (6), and (7) (AND (8)); or (b) in the case of a nonresident decedent the deductions and exemptions allowed by sections 291.05, 291.051, 291.065, 291.08, clauses (1), (2), (4) and (5), and the denominator of which shall equal the value of the federal taxable estate as defined in section 2051 of the Internal Revenue Code; provided, however, in any case where any property is included in the Minnesota gross estate but incorrectly omitted from the federal gross estate or where any property that is included in both the Minnesota gross estate and the federal gross estate is valued at a higher or lower value in determining the Minnesota gross estate than in determining the federal gross estate, the federal taxable estate shall be recomputed for purposes of this provision and shall be based on a federal gross estate including the value of such omitted property and including or excluding the difference in value of such revalued property, and further provided that the federal estate tax deduction shall not exceed the federal estate tax due and payable to the United States Treasury;

((7)) (6) real estate taxes due and payable prior to or in the year of the decedent's death with respect to real estate subject to taxation under this chapter and other taxes which have accrued and are a lien on property in the estate at the time of death;

((8)) (7) liens and mortgages on property subject to taxation under this chapter which are not deductible as claims or debts of the decedent.

Sec. 25. Minnesota Statutes 1982, section 291.09, subdivision 3a, is amended to read:

Subd. 3a. (1) The commissioner may challenge matters of valuation or taxability of any assets reported on the return, or any deductions claimed, or the computation of tax, only if within 180 days from the due date of the return or the receipt of the return and all documents required to be filed with the return, whichever is later, the commissioner mails or delivers a written notice to the personal representative objecting to the return as filed and specifying the reasons for the objection.

(2) If the personal representative disagrees with the objection or does not wish to fully comply with the objection, he may request that the commissioner hold a hearing on the objection. Within 30 days of receipt of a request, the commissioner shall set a time and place for hearing. Unless otherwise agreed upon, the hearing date shall not be earlier than 30 days nor later than 60 days from the date of the notice setting the hearing. The notice of hearing shall set forth the rights available to the personal

representative under chapter 14. Not later than 30 days after the commissioner receives the report and recommendation of the hearing examiner, or a written waiver of his hearing rights by the personal representative, the commissioner shall issue an order determining the tax. Any such determination made by the commissioner may be appealed to the tax court as provided in section 271.09.

(3) At any time together with or after the objection, the commissioner, on his own initiative, may set a time and place for a hearing in accordance with (2) above.

(4) In his objection, or at any time thereafter, the commissioner may assess any additional tax as the facts may warrant, subject to the right of the personal representative to demand a hearing under chapter 15. If the personal representative does not demand a hearing within 90 days of the date of the assessment, the tax so assessed shall be legally due and the commissioner may proceed to collect any unpaid tax after one year from the date of death. If the commissioner later finds the tax assessment to be erroneous, he may adjust the assessment prior to collection.

(5) The commissioner shall not be required to object to any subsequent original, amended or supplemental return in order to preserve his rights. The commissioner shall not be precluded from objecting to a subsequent original, amended or supplemental return even though an original return was accepted as filed. If the commissioner had accepted an original return showing no tax due and a subsequent original, amended or supplemental return discloses additional assets not disclosed on the original return, the commissioner may object to any matter of valuation, taxability, deduction or computation of tax on the original return within 180 days of receipt of the subsequent original, amended or supplemental return.

(6) Subject to the provisions of (SECTION) *sections* 291.11 and 291.215, the Minnesota estate tax liability shall be considered as finally determined on the date notification of acceptance is issued to the personal representative or, if no objection is filed, on the day following 180 days from the due date of the return or the receipt of the return, together with all other documents required to be filed with the return, whichever is later.

(7) Subject to the time limits imposed elsewhere in this chapter, the commissioner may refund an overpayment of tax, penalty or interest even though the personal representative has not made an application for refund.

Sec. 26. Minnesota Statutes 1982, section 291.131, subdivision 6, is amended to read:

Subd. 6. The amount of tax not timely paid, including the amount of unpaid tax when the taxpayer elects to pay the tax in installments, together with any penalty provided by this section, shall bear interest at the rate specified in section 270.75 from the time such tax should have been paid *if no extension had been granted or election to pay the tax in installments had been made* until paid. All interest and penalty shall be added to the tax and collected as a part thereof.

Sec. 27. Minnesota Statutes 1982, section 291.132, subdivision 1, is amended to read:

Subdivision 1. The commissioner may extend the time for filing returns or making payment of the tax, without penalty, for a period not to exceed six months. In lieu of the six month extension, the commissioner may extend the time for payment of the tax, without penalty, for a period not to exceed two years if the payment of the tax would result in an undue hardship on the estate. The written request for the undue hardship extension shall be made to the commissioner no later than nine months after the death of the person from whom the transfer is made. The taxpayer may elect to pay the taxes in installments as specified in section 291.11, subdivision 1, provided that the period of time for the payment of the taxes shall not exceed five years from the expiration of the extension granted by the commissioner. Where an extension of time has been granted (**INTEREST SHALL BE PAYABLE AT THE RATE SPECIFIED IN SECTION 270.75 FROM THE DATE WHEN SUCH PAYMENT SHOULD HAVE BEEN MADE, IF NO EXTENSION HAD BEEN GRANTED, UNTIL SUCH TAX IS PAID**) *for payment, interest shall be paid at the rate specified in section 270.75 from the date when payment should have been made if no extension had been granted, until the tax is paid. When an election has been made to pay the tax in installments, interest shall be paid at the rate specified in section 270.75 from the date when payment of the tax should have been made if no election to pay the tax in installments had been made.*

Sec. 28. Minnesota Statutes 1982, section 291.215, subdivision 3, is amended to read:

Subd. 3. The personal representative shall file an amended estate tax return within 90 days after any amended estate tax return is filed pursuant to the provisions of the United States Internal Revenue Code. If no amended federal estate tax return is filed but the federal estate tax return is changed or corrected, the **(CHANGE OR CORRECTION SHALL BE REPORTED TO)** *personal representative shall file an amended estate tax return with the commissioner of revenue within 90 days after the final determination of the change or correction is made. (UPON RECEIPT OF AN AMENDED FEDERAL ESTATE TAX RETURN OR UPON NOTIFICATION OF ANY CHANGE OR CORRECTION MADE ON THE FEDERAL*

ESTATE TAX RETURN) *If the personal representative fails to file an amended estate tax return, the commissioner of revenue may reassess the estate tax.*

Sec. 29. Minnesota Statutes 1982, section 295.365, is amended to read:

295.365 [DECLARATIONS OF ESTIMATED GROSS EARNINGS TAX BY TELEGRAPH AND TELEPHONE COMPANIES.]

Every telegraph company subject to taxation pursuant to section 295.32 and every telephone company subject to taxation pursuant to section 295.34, shall make a declaration of estimated gross earnings tax for the calendar year *if the gross earnings tax can reasonably be expected to be in excess of \$1,000.* The declaration of estimated tax shall be filed on or before March 15. The amount of estimated tax with respect to which a declaration is required shall be paid in four equal installments on or before the 15th day of March, June, September, and December. An amendment of a declaration may be filed in any interval between installment dates prescribed above but only one amendment may be filed in each such interval.

If any amendment of a declaration is filed, the amount of each remaining installment shall be the amount which would have been payable if the new estimate had been made when the first estimate for the calendar year was made, increased or decreased, as the case may be, by the amount computed by dividing

(1) the difference between (A) the amount of estimated tax required to be paid before the date on which the amendment was made, and (B) the amount of estimated tax which would have been required to be paid before such date if the new estimate had been made when the first estimate was made, by

(2) the number of installments remaining to be paid on or after the date on which the amendment is made.

The commissioner of revenue may grant a reasonable extension of time for filing any declaration but such extension shall not be for more than six months.

Sec. 30. Minnesota Statutes 1982, section 295.366, subdivision 1, is amended to read:

Subdivision 1. [ADDITION TO THE TAX.] In case of any underpayment of estimated tax by a telegraph or telephone company, except as provided in subdivision 4, there shall be added to the tax for the taxable year an amount determined at the rate specified in section 270.75 upon the amount of the underpayment (determined under subdivision 2) for the period of the under-

payment (determined under subdivision 3). *For taxable years beginning after December 31, 1982, the amount in lieu of interest for that taxable year shall be the amount determined in section 270.75 for January 1 on which begins the taxable year or precedes the beginning of the taxable year.*

Sec. 31. Minnesota Statutes 1982, section 296.06, subdivision 2, is amended to read:

Subd. 2. [REQUIREMENTS FOR ISSUANCE.] A distributor's license shall be issued to any responsible person qualifying as a distributor who makes application therefor, and who shall pay to the commissioner at the time thereof and annually thereafter a license fee of (\$5) \$10, and who shall further comply with the following conditions:

(1) A written application shall be made in a manner approved by the commissioner, who shall require the applicant or licensee to deposit with the state treasurer securities of the United States government or the state of Minnesota or to execute and file a bond, with a corporate surety approved by the commissioner, to the state of Minnesota in an amount to be determined by the commissioner and in a form to be fixed by the commissioner and approved by the attorney general, and which shall be conditioned for the payment when due of all excise taxes, inspection fees, penalties, and accrued interest arising in the ordinary course of business or by reason of any delinquent money which may be due the state of Minnesota; the bond shall cover all places of business within the state where petroleum products are received by the licensee; and the applicant or licensee shall designate and maintain an agent in this state upon whom service may be had for all purposes of this section.

(2) An initial applicant for a distributor's license shall furnish a bond in a minimum sum of \$3,000 for the first year;

(3) Whenever it is the opinion of the commissioner that the bond given by a licensee is inadequate in amount to fully protect the state, he shall require an additional bond in such amount as he deems sufficient;

(4) If any licensee desires to be exempt from depositing securities or furnishing such bond, as hereinbefore provided, he shall furnish an itemized financial statement showing the assets and the liabilities of the applicant and if it shall appear to the commissioner, from the financial statement or otherwise, that the applicant is financially responsible, then the commissioner may exempt such applicant from depositing such securities or furnishing such bond until the commissioner otherwise orders.

(5) The premium on any bond required under clauses (1) and (2), and on any additional bond required under clause (3),

shall be paid by the commissioner out of a bond premium fund which he shall set up from an appropriation by the legislature from whatever funds are available. All of said bonds required during each license period shall be purchased by the commissioner of administration from the lowest responsible bidder after advertising for competitive bids in the manner prescribed by Laws 1939, Chapter 431, Article II, as amended. The commissioner of administration shall call for bids within a reasonable period prior to the commencement of license period.

(6) (AFTER THE PRESENT LICENSE PERIOD EXPIRES ON MAY 31, 1947, THE NEXT LICENSE PERIOD SHALL BE FOR ONE YEAR ENDING MAY 31, 1948, THE NEXT LICENSE PERIOD SHALL BE FOR 13 MONTHS ENDING JUNE 30, 1949, AND THEREAFTER) Each license period shall be for one year ending each June 30.

(7) Upon application to the commissioner and compliance by the applicant with the provisions of this subdivision, the commissioner also shall issue a distributor's license to (a) any person engaged in this state in the bulk storage of petroleum products and the distribution thereof by tank car or tank truck or both, and (b) any person holding an unrevoked license as a distributor since January 1, 1947, and (c) any person holding a license and performing a function under the motor fuel tax law of an adjoining state equivalent to that of a distributor under this act, who desires to ship or deliver petroleum products from that state to persons in this state not licensed as distributors in this state and who agrees to assume with respect to all petroleum products so shipped or delivered the liabilities of a distributor receiving petroleum products in this state, provided, however, that any such license shall be issued only for the purpose of permitting such person to receive in this state the petroleum products so shipped or delivered. Except as herein provided, all persons licensed as distributors under this clause shall have the same rights and privileges and be subject to the same duties, requirements and penalties as other licensed distributors.

Sec. 32. Minnesota Statutes 1982, section 296.12, subdivision 1, is amended to read:

Subdivision 1. [SPECIAL FUEL DEALERS' LICENSE REQUIREMENTS.] No person except a licensed distributor shall engage in the business of selling or delivering special fuel as a special fuel dealer unless he shall have applied for and secured from the commissioner a special fuel dealer's license. The application shall be made in a manner approved by the commissioner and shall be accompanied by the payment of (\$5) \$10, which shall be the license fee. A special fuel dealer's license shall be issued to any responsible person qualifying as a special fuel dealer who makes proper application therefor. The license shall be displayed in a conspicuous manner in the place of business and shall expire annually on November 30.

If at any time a special fuel dealer discontinues, sells or disposes of his business in any manner, he shall surrender his special fuel dealer's license to the commissioner at his office in St. Paul, Minnesota.

Sec. 33. Minnesota Statutes 1982, section 296.12, subdivision 2, is amended to read:

Subd. 2. [BULK PURCHASERS' LICENSE REQUIREMENTS.] No person shall receive special fuel as a bulk purchaser unless he shall have applied for and secured from the commissioner a bulk purchaser's license. The application shall be made in a manner approved by the commissioner and shall be accompanied by the payment of (\$5) \$10, which shall be the license fee. A bulk purchaser's license shall be issued to any responsible person qualifying as a bulk purchaser who makes proper application therefor. The license shall be displayed in a conspicuous manner in the place of business and shall expire annually on November 30.

If at any time a bulk purchaser discontinues, sells or disposes of his business in any manner, he shall surrender his bulk purchaser's license to the commissioner at his office in St. Paul, Minnesota.

Sec. 34. Minnesota Statutes 1982, section 296.17, subdivision 3, is amended to read:

Subd. 3. [REFUNDS ON GASOLINE AND SPECIAL FUEL USED IN OTHER STATES.] Every person regularly or habitually operating motor vehicles upon the public highways of any other state or states and using in said motor vehicles gasoline or special fuel purchased or obtained in this state, shall be allowed a credit or refund equal to the tax on said gasoline or special fuel paid to this state on the gasoline or special fuel actually used in the other state or states. No credit or refund shall be allowed under this subdivision for taxes paid to any state which imposes a tax upon gasoline or special fuel purchased or obtained in this state and used on the highways of such other state, and which does not allow a similar credit or refund for the tax paid to this state on gasoline or special fuel purchased or acquired in such other state and used on the highways of this state. Every person claiming a credit or refund under this subdivision shall file, within 30 days after the tax to such other state, or states, is paid, a report in such form as may be prescribed by the commissioner, together with such proof of the payment of the tax, and of the fact that it was paid on gasoline or special fuel purchased or obtained within this state as the commissioner may require. *The claimant may file up to six months from the date the tax was paid to another state but any refund applied for after 30 days from date of payment shall be reduced by five percent for each 30-day period or portion thereof following the initial 30-day period.*

Sec. 35. Minnesota Statutes 1982, section 296.17, subdivision 10, is amended to read:

Subd. 10. [LICENSE.] (a) No motor carrier shall operate a commercial motor vehicle upon the highways of this state unless and until he has been issued a license pursuant to this section or has obtained a trip permit or temporary authorization as provided in this section.

(b) A license shall be issued to any responsible person qualifying as a motor carrier who makes application therefor and who shall pay to the commissioner, at the time thereof, a license fee of (\$10) \$20. Such license shall remain valid until revoked by the commissioner or until surrendered by the motor carrier. Such license, photocopy or electrostatic copy of it, shall be carried in the cab of every commercial motor vehicle while it is being operated in Minnesota by a licensed motor carrier.

Sec. 36. Minnesota Statutes 1982, section 296.17, subdivision 17, is amended to read:

Subd. 17. [TRIP PERMITS AND TEMPORARY AUTHORIZATIONS.] (a) A motor carrier may obtain a trip permit which shall authorize an unlicensed motor carrier to operate a commercial motor vehicle in Minnesota for a period of five consecutive days beginning and ending on the dates specified on the face of the permit. The fee for such permit shall be (\$5) \$15. Fees for trip permits shall be in lieu of the road tax otherwise assessable against such motor carrier on account of such commercial motor vehicle operating therewith, and no reports of mileage shall be required with respect to such vehicle.

The above permit shall be issued in lieu of license if in the course of the motor carrier's operations he operates on Minnesota highways no more than three times in any one calendar year.

(b) Whenever the commissioner is satisfied that unforeseen or uncertain circumstances have arisen which requires a motor carrier to operate in this state a commercial motor vehicle for which neither a trip permit pursuant to clause (a) of this subdivision nor a license pursuant to subdivisions 7 to 22 has yet been obtained, and if the commissioner is satisfied that prohibition of such operation would cause undue hardship, the commissioner may provide the motor carrier with temporary authorization for the operation of such vehicle. A motor carrier receiving temporary authorization pursuant to this subdivision shall perfect the same either by obtaining a trip permit or a license, as the case may be, for the vehicle at the earliest practicable time.

Sec. 37. Minnesota Statutes 1982, section 297.03, subdivision 10, is amended to read:

Subd. 10. [DISTRIBUTION OF FREE SAMPLE PACKAGES.] The commissioner may authorize distribution in Minnesota of free packages of cigarettes without affixing stamps to said packages by the following persons provided that monthly reports and payment of a tax at the same rates prescribed by section 297.02, subdivision 1, shall be made directly to the commissioner (IN THE MANNER AND) under the terms provided for by (HIM) *the commissioner*:

(1) Any manufacturer, providing such packages contain not more than (TEN) 20 cigarettes each;

(2) Any person engaged as a common carrier in the transportation of persons, who purchases packages of cigarettes from a manufacturer for distribution without charge, provided that no such package shall contain more than (TEN) 20 cigarettes.

All packages distributed pursuant to this section shall be marked "Complimentary—Not For Sale." The commissioner shall promulgate rules providing for the procedures to be complied with by any person distributing free sample packages.

Sec. 38. Minnesota Statutes 1982, section 340.485, subdivision 1, is amended to read:

Subdivision 1. [MANNER AND TIME OF PAYMENT; PENALTIES; DEPOSIT OF TAX PROCEEDS.] The tax on wines and spirituous liquors, on which the excise tax has not been previously paid, shall be paid to the commissioner of revenue a sufficient bond as provided in subdivision 2 or before the tenth day of the month following the month in which the first sale is made in this state by a licensed manufacturer or wholesaler. Every such person liable for any tax on wines or spirituous liquors imposed by section 340.47 shall file with the commissioner of revenue on or before the tenth day of the month following first sale in this state by a licensed manufacturer or wholesaler a return in such form and showing such information as the commissioner of revenue shall by rule prescribe, and shall keep records and render reports as the commissioner of revenue shall by rule prescribe. (IF THE EXCISE TAX IS NOT PAID WHEN DUE, THERE SHALL BE ADDED TO THE TAX AN AMOUNT EQUIVALENT TO FIVE PERCENT PER MONTH FROM THE DATE THE TAX BECAME DUE UNTIL PAID. IF ANY PERSON FILES A FALSE OR FRAUDULENT RETURN, THERE SHALL BE ADDED TO THE TAX A SUM EQUIVALENT TO 100 PERCENT OF THE AMOUNT OF THE TAX EVADED OR ATTEMPTED TO BE EVADED.) Any person liable for any tax on wines or spirituous liquors not having on file a sufficient bond shall pay the tax within 24 hours after first sale in this state. The commissioner of revenue shall pay all moneys received in the general fund. The commissioner of revenue may certify to the commissioner of public safety any failure

to pay taxes when due as a violation of a statute relating to the sale of intoxicating liquor for possible revocation or suspension of license under section 340.135.

If any person fails to pay the tax within the time specified or within 30 days after final determination of an appeal to the Minnesota tax court relating thereto, there shall be added a penalty equal to ten percent of the amount so remaining unpaid. The penalty shall be collected as part of the tax, and the amount of the tax not timely paid, together with the penalty, shall bear interest at the rate specified in section 270.75 from the time the tax should have been paid until paid.

Sec. 39. Minnesota Statutes 1982, section 340.485, is amended by adding a subdivision to read:

Subd. 5. [FAILURE TO FILE RETURN; PENALTY.] In case of any failure to make and file a return as required by this chapter within the time prescribed by law or prescribed by the commissioner in pursuance of law, unless it is shown that the failure is not due to wilful neglect, there shall be added to the tax in lieu of the ten percent specific penalty provided in subdivision 1: ten percent if the failure is for not more than 30 days with an additional five percent for each additional 30 days or fraction thereof during which such failure continues, not exceeding 25 percent in the aggregate. The amount added to any tax shall be collected at the same time and in the same manner and as a part of the tax, and the amount of tax together with the amount added shall bear interest at the rate specified in section 270.75 from the time the tax should have been paid until paid unless the tax has been paid before the discovery of the neglect, in which case the amount added shall be collected in the same manner as the tax.

For the purposes of this subdivision, the amount of any taxes required to be shown on the return shall be reduced by the amount of any part of the tax which is paid on or before the date prescribed for payment of the tax and by the amount of any credit against the tax which may be claimed upon the return.

Sec. 40. Minnesota Statutes 1982, section 340.485, is amended by adding a subdivision to read:

Subd. 6. [INTENT TO EVADE TAX; FAILURE TO FILE OR FILING FALSE RETURN; PENALTY.] Where any person, with intent to evade the tax, fails to file any return required or shall with intent file a false or fraudulent return, there shall also be imposed upon the person an additional penalty equal to 50 percent of any tax (less any amount paid on the basis of the false or fraudulent return) found due for the period to which the return related. The penalty imposed by this subdi-

vision shall be collected as part of the tax and shall be in addition to any other penalties provided by law.

Sec. 41. Minnesota Statutes 1982, section 340.492, is amended to read:

340.492 [MANNER AND TIME OF PAYMENT; PENALTIES; DEPOSIT OF TAX PROCEEDS.]

Subdivision 1. [FILING DATE; TIME OF PAYMENT.] The commissioner of revenue shall issue rules adopting the reporting method for paying and collecting the excise tax on fermented malt beverages. The rules shall require reports to be filed with and the excise tax to be paid to the commissioner on or before the fifteenth day of the month following the month in which the importation into or the first sale is made in this state, whichever first occurs. If the excise tax is not paid when due, there shall be added to the amount of the tax as penalty a sum equivalent to ten percent thereof, and in addition thereto interest on the tax and penalty at the rate of 20 percent per annum, adjusted as provided in section 270.75, from the date the tax became due until paid. The commissioner shall deposit all moneys received in the funds as provided by section 340.47, subdivision 2.

Subd. 2. [FAILURE TO FILE RETURN.] In case of any failure to make and file a return as required by this chapter within the time prescribed by law or prescribed by the commissioner in pursuance of law, unless it is shown that the failure is not due to wilful neglect, there shall be added to the tax in lieu of the ten percent specific penalty provided in subdivision 1: ten percent if the failure is for not more than 30 days with an additional five percent for each additional 30 days or fraction thereof during which such failure continues, not exceeding 25 percent in the aggregate. The amount added to any tax shall be collected at the same time and in the same manner and as a part of the tax, and the amount of tax together with the amount added shall bear interest at the rate specified in section 270.75 from the time the tax should have been paid until paid unless the tax has been paid before the discovery of the neglect, in which case the amount added shall be collected in the same manner as the tax.

For purposes of this subdivision, the amount of any taxes required to be shown on the return shall be reduced by the amount of any part of the tax which is paid on or before the date prescribed for payment of the tax and by the amount of any credit against the tax which may be claimed upon the return.

Subd. 3. [INTENT TO EVADE TAX; FAILURE TO FILE OR FILING FALSE RETURN.] Where any person, with intent to evade the tax, fails to file any return required or shall with such intent file a false or fraudulent return, there shall

also be imposed upon the person an additional penalty equal to 50 percent of any tax (less any amount paid on the basis of the false or fraudulent return) found due for the period to which the return related. The penalty imposed by this subdivision shall be collected as part of the tax and shall be in addition to any other penalties provided by law.

Sec. 42. Minnesota Statutes 1982, section 477A.04, subdivision 2, is amended to read:

Subd. 2. Beginning in calendar year (1984) 1986 and subsequent years, an assessment district shall be penalized according to the following schedule:

(a) \$1 per capita if the coefficient of dispersion in assessments for the preceding year is more than ten percent but less than 12.5 percent;

(b) \$3 per capita if the coefficient of dispersion in assessments for the preceding year is at least 12.5 percent but no more than 15 percent;

(c) \$5 per capita if the coefficient of dispersion in assessments for the preceding year is greater than 15 percent.

Sec. 43. Minnesota Statutes 1982, section 505.04, is amended to read:

505.04 [RECORDING.]

Every plat, when duly certified, signed, and acknowledged, as provided in section 505.03, and upon presentation of a certificate from the county auditor that the current year's taxes have been paid, shall be filed and recorded in the office of the county recorder.

Sec. 44. [CITY OF MINNEAPOLIS; HRA REPLACEMENT PROPERTY.]

If approved by the governing body of the city prior to November 1, 1983, the city of Minneapolis may exempt from taxation property located within the city not exceeding one acre which has been acquired to replace property acquired by a housing and redevelopment authority under chapter 462, as part of a redevelopment project, and which is owned and operated by a non-profit organization whose general purpose is to sponsor and encourage activities in connection with a particular ethnic heritage; if the property is used primarily as a meeting facility, social hall, or recreational facility by the group and the property is not used for residential purposes on either a temporary or permanent basis. An exemption from taxes granted under this

section shall be limited in time to 15 years. The city may require the owner of the property to pay an amount in lieu of taxes.

Sec. 45. [REPEALER.]

(a) Minnesota Statutes 1982, sections 272.022; 272.023; 272.024; 273.13, subdivision 18; 273.23; 273.24; 273.28; 273.29; 273.30; 273.31; 273.34; 273.44; 273.45; 273.52; 288.01; 288.02; 288.03; 288.04; 288.05; and 473F.04, are repealed.

(b) Minnesota Statutes 1982, section 291.07, subdivision 3, is repealed.

Sec. 46. [EFFECTIVE DATE.]

Sections 1, 2, 4, 6, 12, 15, 19, and 20 are effective July 1, 1983. Sections 3, 8 to 11, 14, and 16 are effective for taxes levied in 1983 and thereafter, payable in 1984 and thereafter. Sections 5, 7, 18, 31 to 36, 42 and 45, clause (a) are effective the day after final enactment. Section 13 is effective for assessments made in 1984 and thereafter for taxes payable in 1985 and thereafter. Section 17 is effective for settlements made after July 1, 1983. Sections 21, 30, 37, 38, 39, 40, and 41 are effective August 1, 1983. Section 22 is effective for estates of decedents dying after December 31, 1982. Sections 23, 24, 25, 26, 27, 28, and 45, clause (b) are effective for estates of decedents dying on or after July 1, 1983. Section 29 is effective January 1, 1983. Section 43 is effective for plats filed after July 1, 1983. Section 44 is effective after approval by the city council of the city of Minneapolis on the day after compliance with Minnesota Statutes, section 645.021, subdivision 3."

Delete the title and insert:

"A bill for an act relating to taxation; increasing the amount of reduced valuations required to be maintained as public record; allowing the commissioner discretion in apportioning levies; increasing the amount of reduction in valuation requiring an opportunity for hearing; clarifying the definition of real property for ad valorem purposes; classifying farm rental value data; allowing county auditors to combine legal descriptions over section lines; excluding certain corporations from receiving agricultural property tax valuation; providing for continued deferred assessment of open space property after certain sales; providing for the assessment of certain class 3 property based upon its use; requiring publication of certain requirements for obtaining a homestead after the assessment date; providing for split classification of certain homestead property; removing special taxing districts from levy limits; allowing counties to charge for dishonored checks; allowing the rounding of tax amounts on tax statements; allowing the use of the previous year's mill rate in certain cases when distributing delinquent tax proceeds; chang-

ing the date for filing list of delinquent personal property taxes; extending application of the alternate sale procedure; increasing the fee for lost deeds; changing the process for distributing mortgage registration tax proceeds; updating to the Internal Revenue Code for purposes of the estate tax; requiring filing of an amended estate tax return in certain situations; clarifying the date interest accrues on estate tax amounts due; providing for department action following the filing of an amended return; requiring state's share of federal credit to not be less than state's share of the estate; changing the requirement for filing a declaration of estimated gross earnings tax; imposing a penalty for failure to pay estimated gross earnings tax; extending the time allowed to claim gasoline or special fuel tax refunds; changing the requirements relating to distribution of free samples of cigarettes; imposing a penalty for failure to pay the tax on wines and spirituous liquors; conforming penalties for nonpayment of tax on beer to penalties imposed on other taxes; requiring payment of current taxes before a plat is recorded; delaying implementation of the assessment penalty; increasing the fee for issuance of a petroleum products distributors license; increasing the fee for issuance of special fuel dealers or bulk purchasers licenses; increasing the fee for issuance of a motor carrier license; increasing the fee for issuance of a temporary trip permit; allowing the city of Minneapolis to temporarily exempt certain property from taxation; amending Minnesota Statutes 1982, sections 270.10, subdivisions 1 and 3; 270.12, subdivision 3; 270.19; 272.03, subdivision 1; 272.46, subdivision 2; 273.11, subdivision 7; 273.111, subdivision 3; 273.112, subdivision 7, and by adding a subdivision; 273.13, subdivisions 4 and 16, and by adding a subdivision; 275.50, subdivision 2; 276.02; 276.04; 276.10; 277.02; 282.01, subdivision 7a; 282.33, subdivision 1; 287.08; 291.005, subdivision 1; 291.03, subdivision 1; 291.07, subdivision 1; 291.09, subdivision 3a; 291.131, subdivision 6; 291.132, subdivision 1; 291.215, subdivision 3; 295.365; 295.366, subdivision 1; 290.06, subdivision 2; 296.12, subdivisions 1 and 2; 296.17, subdivisions 3, 10, and 17; 297.03, subdivision 10; 340.485, subdivision 1, and by adding subdivisions; 340.492; 477A.04, subdivision 2; 505.04; repealing Minnesota Statutes 1982, sections 272.022; 272.023; 272.024; 273.13, subdivision 18; 273.23; 273.24; 273.28; 273.29; 273.30; 273.31; 273.34; 273.44; 273.45; 273.52; 288.01; 288.02; 288.03; 288.04; 288.05; 291.07, subdivision 3; and 473F.04."

We request adoption of this report and repassage of the bill.

Senate Conferees: LAWRENCE J. POGEMILLER and GENE MERRIAM.

House Conferees: LINDA SCHEID, TOM OSTHOFF and WILLIAM SCHREIBER.

Scheid moved that the report of the Conference Committee on S. F. No. 267 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 267, A bill for an act relating to taxation; increasing the amount of reduced valuations required to be maintained as public record; allowing the commissioner discretion in apportioning levies; increasing the amount of reduction in valuation requiring an opportunity for hearing; allowing county auditors to combine legal descriptions over section lines; classifying farm rental value data; excluding certain corporations from receiving agricultural property tax valuation; providing for continuation of open space treatment; providing for the assessment of certain class 3 property based upon its use; requiring publication of certain requirements for obtaining a homestead after the assessment date; removing special taxing districts from levy limits; allowing counties to charge for NSF checks; providing for rounding of tax amounts on tax statements; directing the use of the previous years mill rate when distributing delinquent tax proceeds; changing the date for filing list of delinquent personal property taxes; extending application of the alternate sale procedure; increasing the fee for lost deeds; changing the process for distributing mortgage registration tax proceeds; raising the fee for trip permits; requiring filing of an amended estate tax return in certain situations; clarifying the date interest accrues on estate tax amounts due; providing for department action following the filing of an amended return; requiring state's share of federal credit to not be less than state's share of the estate; providing a definition of surviving spouse for estate tax purposes; requiring filing of final account to commissioner of revenue; changing the requirement for filing a declaration of estimated gross earnings tax; imposing a penalty for failure to pay estimated gross earnings tax; extending the time allowed to claim gasoline or special fuel tax refunds; changing the requirements relating to distribution of free samples of cigarettes; imposing a penalty for failure to pay the tax on wines and spirituous liquors; conforming penalties for nonpayment of tax on beer to penalties imposed on other taxes; delaying implementation of the assessment penalty; requiring payment of current taxes before a plat is recorded; amending Minnesota Statutes 1982, sections 270.10, subdivisions 1 and 3; 270.12, subdivision 3; 270.19; 272.46, subdivision 2; 273.11, subdivision 7; 273.111, subdivision 3; 273.112, subdivision 7, and by adding a subdivision; 273.13, subdivisions 4, and 16; 275.50, subdivision 2; 276.02; 276.04; 276.10; 277.02; 282.01, subdivision 7a; 282.33, subdivision 1; 287.08; 291.005, subdivision 1; 291.03, subdivision 1; 291.07, subdivision 1; 291.09, subdivision 3a; 291.131, subdivision 6; 291.132, subdivision 1; 291.215, subdivision 3; 295.365; 295.366, subdivision 1; 296.17, subdivisions 3 and 17; 297.03, subdivision 10; 340.485, subdivision 1, and by adding subdivisions; 340.492; 477A.04; 505.04; repealing Minnesota Statutes 1982, sections 272.022; 272.023; 272.024; 273.13, subdivision 18; 273.23; 273.24; 273.28; 273.29; 273.30; 273.31; 273.34; 273.44; 273.45; 273.52; 288.01; 288.02; 288.03; 288.04; 288.05; 291.07, subdivision 3; and 473F.04.

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

The question was taken on the repassage of the bill and the roll was called. There were 124 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

DenOuden Olsen Welker

The bill was repassed, as amended by Conference, 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. 1310, A bill for an act relating to capital improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; appropriating money; proposing new law coded in Minnesota Statutes, chapter 16.

PATRICK E. FLAHAVEN, Secretary of the Senate

Rice moved that the House refuse to concur in the Senate amendments to H. F. No. 1310, that the Speaker appoint a Conference Committee of 5 members of the House, and that the

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

Mr. Speaker:

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

S. F. No. 964, A bill for an act relating to corporations; providing for the determination of eligibility for the indemnification of certain persons; prohibiting the use of corporate information obtained improperly; authorizing the use of protective orders and other relief to prevent the premature disclosure of certain confidential information or the use of corporate information obtained improperly; permitting the use of corporate names of corporations not filing the active status report; restricting the right of a corporation to deny cumulative voting; protecting preemptive rights of shareholders; clarifying when equitable relief is available to minority stockholders; providing for the retention of cumulative voting and preemptive rights after incorporation; amending Minnesota Statutes 1982, sections 300.083, subdivision 6; 302A.115, by adding a subdivision; 302A.215; 302A.413, by adding a subdivision; 302A.461, subdivisions 4, 6, and by adding a subdivision; 302A.521, subdivision 6; and 302A.751, subdivision 1, and by adding a subdivision.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Messrs. Petty; 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

Ellingson 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. 964. The motion prevailed.

Mr. Speaker:

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

S. F. No. 1008, A bill for an act relating to courts; authorizing the appointment of court referees; amending Minnesota Statutes 1982, sections 260.031, subdivision 1; 484.65, subdivisions 4, 5, and 6; and 484.70, subdivision 1; repealing Minnesota Statutes 1982, section 484.701.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Mr. Freeman, Ms. Reichgott and Mr. Sieloff.

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

Ellingson 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. 1008. The motion prevailed.

Mr. Speaker:

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

S. F. No. 889, A bill for an act relating to local government; clarifying powers of municipalities and redevelopment agencies with respect to acquisition, construction, leasing, selling, loan of funds, and issuance of revenue bonds for industrial development projects; amending Minnesota Statutes 1982, sections 474.03 and 474.06.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Messrs. Kroening, Freeman and Kamrath.

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. 889. The motion prevailed.

Mr. Speaker:

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

S. F. No. 218, A bill for an act relating to commitment of persons who are mentally ill; mentally retarded, or mentally ill and dangerous; requiring mental commitment proceedings for

persons acquitted of a criminal charge pursuant to a verdict of not guilty by reason of mental illness or not guilty by reason of mental deficiency to be held in the court in which acquittal took place; modifying the burden of going forward with the evidence on the issues of mental illness, mental retardation, and mental illness and dangerousness in certain cases; amending Minnesota Statutes 1982, sections 253B.02, subdivision 4, and by adding subdivisions; 253B.07, subdivisions 1, 2, 3, and 7, and by adding a subdivision; 253B.08, subdivision 7; 253B.12, subdivision 4; 253B.18, subdivision 1; 253B.19, subdivision 1; 253B.21, subdivision 5; and 253B.23, subdivision 7.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Messrs. Freeman, Merriam and Sieloff.

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

Kelly 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. 218. The motion prevailed.

Mr. Speaker:

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

S. F. No. 545, A bill for an act relating to welfare; changing laws relating to child support enforcement; providing for determination of paternity; providing for determination and modification of child support; amending Minnesota Statutes 1982, sections 256.74, by adding a subdivision; 256.87; 257.55, subdivision 1; 257.58; 257.59, subdivision 1; 257.60; 257.62, subdivision 1, and by adding subdivisions; 257.64, subdivision 1; 257.66, subdivisions 3 and 4; 257.69, subdivision 2; 518.10; 518.17, by adding a subdivision; 518.551, subdivisions 1, 5, and 6, and by adding subdivisions; 518.611; 518.64, subdivisions 2 and 5, and by adding a subdivision; 518.645; 518B.01, subdivisions 2 and 6; 518C.17, subdivision 1; 518C.33, subdivision 1; and 548.09; proposing new law coded in Minnesota Statutes, chapters 257, 518, and 543; repealing Minnesota Statutes 1982, sections 256.87, subdivision 2; 256.872; 256.873; 256.876; and 518.551, subdivisions 2, 3, and 4.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Ms. Berglin, Mr. Storm and Ms. Reichgott.

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. 545. The motion prevailed.

Mr. Speaker:

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

S. F. No. 591, A bill for an act relating to insurance; health and accident; prohibiting provider discrimination in insurance policies covering mental health services; amending Minnesota Statutes 1982, section 62A.152, by adding a subdivision.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Mr. Petty, Mrs. Lantry and Mr. Renneke.

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

Skoglund 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. 591. The motion prevailed.

Mr. Speaker:

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

S. F. No. 455, A bill for an act relating to nonprofit corporations; providing for approval of certain actions by boards of directors without formal board meetings; amending Minnesota Statutes 1982, section 317.20, subdivision 12.

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

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

Riveness 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. 455. The motion prevailed.

Mr. Speaker:

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

S. F. No. 159, A bill for an act relating to occupations and professions; regulating chiropractic practice; providing rulemaking authority for the board of chiropractic examiners; creating a legislative study commission; amending Minnesota Statutes 1982, sections 148.01; 148.06; and 148.08, and by adding a subdivision.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Messrs. Samuelson, Dahl and Anderson.

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

Ogren 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. 159. The motion prevailed.

Mr. Speaker:

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

S. F. No. 87, A bill for an act relating to public welfare; requiring reporting of abuse or neglect of children; exempting determinations of eligibility for day care and foster care licenses from application of the Minnesota criminal offenders rehabilitation law; requiring arrest information and reports to be made available to the commissioner of public welfare for the purpose of investigating applicants for a day care or residential facility license; establishing the burden of proof in certain appeals; pro-

viding for appointment of guardianship of children whose parents are deceased; clarifying investigative authority of welfare agencies in making mandated investigations of physical or sexual abuse and neglect; amending Minnesota Statutes 1982, sections 245.783, subdivision 3; 245.801, subdivision 4; 260.011, subdivision 2; 260.242, subdivision 2, and by adding a subdivision; 364.09; and 626.556, subdivisions 2, 4, 7, and 10.

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

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

Clark, J., 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. 87. 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. 415:

Simoneau, Vanasek, Sparby, Bishop and McKasy.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 87:

Wynia; Clark, J., and Levi.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 591:

Skoglund, Burger and Ellingson.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 455:

Riveness, Quinn and Knuth.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 159:

Ogren, Valan and McEachern.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 545:

Brandt, Quist and Rodosovich.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 889:

Berkelman, Price and Schreiber.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 964:

Ellingson, Greenfield and Heap.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 218:

Kelly, Long and McKasy.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1310:

Rice; Carlson, L.; Vanasek; Munger and Rose.

The Speaker announced the following change in the Conference Committee on H. F. No. 380:

Delete Halberg and add Quinn.

SPECIAL ORDERS

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

GENERAL ORDERS

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

MOTIONS AND RESOLUTIONS

Jensen moved that H. F. No. 1323 be recalled from the Committee on Regulated Industries and be re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Dimler and Wenzel introduced:

House Resolution No. 15, A house resolution relating to agriculture; encouraging the Minnesota Department of Agriculture to investigate additional farm promotional and marketing activities; encouraging the House Agriculture Committee to investigate agricultural program funding; and directing the House Agriculture Committee to hold hearings on agri-products processing.

The resolution was referred to the Committee on Agriculture.

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 11:00 a.m., Friday, May 20, 1983. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Friday, May 20, 1983.

EDWARD A. BURDICK, Chief Clerk, House of Representatives